



INDEPENDENT

35p

Republic of Ireland 43p

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SECTION TWO

WEDDED TO DIVORCE
Should we mourn the fall of the British marriage?



KEVIN KLINE
Talks exclusively to Sheila Johnston about kissing

How Major changed his tune

'Parliament should not be a way to other jobs ... it should not be a hiring fair'
- November 1995

'I do not just accept the broad thrust of Nolan, I agree with it'
- 20 May 1995

'The objective will be to consider the recommendations and how they might be implemented'
- 23 May 1995

'He welcomes the [Select Committee] report and will vote for it'
- Spokesman for Mr Major yesterday

PM in storm over curbs on sleaze

Major supports block on fees declaration

DONALD MACINTYRE
Political Editor

John Major last night made clear he would vote in favour of new rules for MPs which stop short of requiring the disclosure of earnings, despite the growing threat of an embarrassing defeat at the hands of a rebel Tory minority.

The row over how the Commons should act to outlaw "sleaze" last night turned into a full scale inter-party confrontation, which will climax on Monday night in what now promises to be a knife-edge vote. Anger erupted after a Special Select Committee split on party lines over a majority Tory decision that there should be a total ban on "paid advocacy" by MPs, but that they should not have to disclose their earnings.

Downing Street went out of its way last night to make the Prime Minister's intentions clear as at least seven MPs indicated they were seriously considering voting with Labour in favour of full disclosure of income earned from activities connected with the membership of Parliament.

Although ministers argue that the report by the Select Committee goes further than Lord Nolan's report into standards in public life, by imposing a ban on paid advocacy, there was concern last night within the Nolan Committee that this still left a loophole, by making no stipulation on informal contacts between min-

isters and those MPs with commercial interests.

Downing Street said John Major would support proposals to ban cash payments to MPs for speaking on behalf of parliamentary lobby groups - but stopping short of publication of full details of income from consultancy work.

Ministers privately admitted the Government could still face a rough ride when the recommendations are put to a free vote in the Commons on Monday, with a number of senior backbenchers threatening to side with Labour.

But Government sources insisted there was no question of

about a much-needed strengthening of the sometimes vague rules governing MPs' behaviour.

"These are undoubtedly the most significant changes in the rules relating to the House of Commons since the introduction of the Register of Members' Interests in 1974," he said. "They go substantially further than Nolan to address public concern relating to procedures and will do much to overcome difficulties in the perception of politicians that have arisen."

It is understood that Mr Newton briefed Lord Nolan on the contents of the Select Committee report, immediately prior to its publication.

The Prime Minister is said to believe that the committee has strengthened the rules on outside earnings by calling for the paid advocacy ban - which would stop MPs tabling Commons questions, motions and amendments to Bills on behalf of non-parliamentary groups.

Tory sources said the ban would hit MPs on Labour benches acting for unions and pressure groups as hard as those on the Government side.

Mr Major was said by aides to "strongly support" the distinction drawn between payments for acting on behalf of outside bodies and for advice.

He came down firmly last year against Parliament becoming a "hiring fair" of professional politicians.

Heart of the matter, page 2
Leading article, page 22



Different approaches: John Major (left) and Lord Nolan

Labour said the Government was "ratting" on pledges to implement in full the findings of the anti-sleaze Nolan Committee. Tony Blair accused Mr Major of "caving in" to pressure from Tory backbenchers by rejecting Nolan's key proposal.

"This is an absolute disgrace. This was a big test for the Prime Minister and he has failed it," he said. "This shameful episode exposes the Tory Party for what it is - not a political party running the country in the national interest, but a vested interest, a faction looking after itself."

the Prime Minister backing down on earlier pledges to implement the original plans in full.

Opposition parties remain determined to amend the report to force through the issue of full disclosure of outside earnings.

The Select Committee, set up to refine the original Nolan recommendations, actually went further, by recommending a total ban on "paid advocacy" for lobby groups.

The Leader of the House, Tony Newton, who chaired the Select Committee, was adamant that its proposals would bring

Forgers get last laugh over funny money

JASON BENNETTO
Crime Correspondent

The next time the pub landlord or supermarket check-out worker tells you your tenner is a dud, don't despair, they have almost certainly got it wrong.

Most anti-forgery devices used by supermarkets, shops, pubs and clubs to detect fake money are next to useless and can give false readings, a senior member of the national counterfeit currency unit warned yesterday. But despite the machines' limitations some police forces are continuing to recommend their use and manufacturers still sell them.

Detective Sergeant Stephen Putman, of the National Criminal Intelligence Service's (NCIS) counterfeit currency unit said: "These devices are bad news because they don't work. They're a nonsense real-

ly. They are doubly unreliable because they can reject genuine notes and allow through counterfeit ones. Some crime prevention officers are still recommending the pens and ultra-violet (UV) lights - we tell them they are totally unreliable." In the three years to 1994, the amount of counterfeit money circulating mushroomed by more than 200 per cent. Last year £18m was seized.

The most popular anti-counterfeit currency device uses UV light to illuminate the notes. The machine, which costs from £30, is supposed to identify fakes which, unlike the genuine article, contain chemicals which will fluoresce under the light. However Det Sgt Putman said that all forgers now use dull, anti-fluorescent paper.

Genuine money can also be "corrupted" if it comes into contact with the whittener, which is

found in substances such as washing powder. Last year, about £20,000 was sent to NCIS which had been wrongly identified as fake money.

The other common device used, the marker pen, is supposed to spot dud money by leaving a brown stain in reaction to starched paper. But again counterfeiters have copied the Bank of England and no longer use paper with starch.

ACO Electronics Ltd, who manufacture UV machines, acknowledge the shortcomings. Gordon Scott, part of the company's design section, said: "I could go into any shop that had an ultra-violet light machine with a fist full of counterfeit money and they would accept it." Because of the problem the company is about to produce a new anti-forgery device that uses a normal light and magnifying glass.

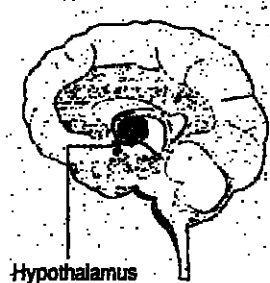
Scientists find clues to why men feel like women

TOM WILKIE
Science Editor

Transsexuals may be right in saying they feel different, because they have brains more like a woman's than a man's, according to scientists in The Netherlands.

Dr Dick Swaab, from the Netherlands Institute for Brain Research, Amsterdam, found a part of the brain important for sexual behaviour is larger in men than in women. The region was of female size, or smaller, in six male-to-female transsexuals whose brains were examined post-mortem.

Dr Swaab said yesterday: "Transsexuals are right that they feel different. There is something different about them." He said society should accept transsexuals' requests to have their birth certificates and passports changed to reflect



Hypothalamus

what they feel to be their true gender. Holland permits official documents to be changed after someone has had a sex-change operation.

Dr Swaab found that the difference in the brain persisted regardless of the person's sexual preferences. It is related solely to whether one feels oneself to be male or female.

The discovery, reported in today's issue of *Nature*, confirms that the most important human

sexual organ is the brain. In the US, the neuroscientist Simon Le Vay showed in 1991 that a region of the brain related to sexual preference was smaller in women and homosexual men than in heterosexual males.

Earlier this week, other US researchers claimed they had confirmed there are genetic differences between male heterosexuals and homosexuals.

But Marc Breedlove, a neurobiologist from the University of California, said the lay public should not "assume that a structural difference in the brain is the immutable signature of purely biological forces".

Only if a difference between the genders were found in newborn or foetal brains could it safely be ascribed to non-social factors, he said.

Dr Swaab rejected a genetic cause, saying: "There is no indication that it runs in families."

IN BRIEF

Shepherd's battle
Gillian Shepherd, the Secretary of State for Education, is battling with her male Cabinet colleagues over her department's spending, but she says that she and the Prime Minister, John Major, are united in their belief that everyone in Britain must get the very best in education. Interview, page 7

West children told of burial
A family story that Heather West was buried under the patio at 25 Cromwell Street, Gloucester, emerged during a row between the West children Rosemary West told a court yesterday. She admitted she had been appalled by the story blurted out by Anne Marie Davis, her stepdaughter, and then passed on to her by two of her children. Page 4

Fry's fright
Stephen Fry spoke to the press yesterday for the first time about the breakdown that he suffered earlier this year, saying that he had even considered committing suicide. Page 4



Sainsbury's slump
Sainsbury's lost ground in the supermarket wars when it announced lower than expected profits and poorer sales growth than rivals such as Tesco and Safeway. Page 24

Carling is captain again
Will Carling was confirmed as England rugby union captain for the game against South Africa at Twickenham on 18 November and for the Five Nations' Championship next year. Page 32



COMMENT

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Hamish McRae: Small could be beautiful for nations such as Quebec. Page 23
News Analysis: So who is gunning for Lord Mackay? Page 21
Another View: Fertility consultant Ian Craft on payments for egg donors. Page 22
Leading Article: "The politicians can see the judicial tanks on their lawn and they don't like it." Page 22

Weather: Most of the England and Wales will have a dry and bright but cold day. Most of Scotland will be rather cloudy and cool with drizzle. Section Two, page 25

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سازمان اطلاعات

Nolan controversy: Storm as select committee rejects recommendations on declaration of MPs' earnings

MPs set code for their own conduct

PATRICIA WYNN DAVIES
Political Correspondent

The actions of members of Parliament, rather than what kinds of paid outside relationships should be allowed, lie at the heart of yesterday's Select Committee report.

Such a formula gets round some awkward problems of definition bequeathed by Lord Nolan's Committee on Standards in Public Life recommendations, the report says. The distinction Lord Nolan had made between single-client consultancies, which he said should be permitted, and multi-client consultancies, which should not, was "especially difficult to understand", the MPs said.

Iain Duncan-Smith, the Tory member who pushed hardest for the alternative of a ban on paid "advocacy" – without any need to declare any outside earnings, as Nolan had recommended – said yesterday the "cash for questions" affair has started the whole Nolan inquiry off but Nolan had turned out to be a whitewash.

"Saying multi-client consultancies should be banned could be easily circumvented by MPs becoming directors of the individual company clients. Under our report, advocacy is out. It goes way beyond Nolan."

The approach could have some unforeseen effects. New wording to be added to the so-called 1947 Resolution, which deals with advocacy for payment, reads as follows: "And that in particular no member of this House shall, in consideration of any remuneration, fee, payment, reward or benefit in kind, direct or indirect, which the Member... has received, is receiving or expects to receive."

Some Tory MPs suggested yesterday that this could catch trade union sponsorship of Labour MPs. While members do not receive personal benefit, union funds are channelled into constituency parties or used to pay researchers, which might be construed as indirect benefit. Such a reading of the provision could limit the kinds of issues many Labour MPs could raise in the House or in questions or motions.

That interpretation appears to be cut down, however, by another paragraph of the report, saying that sponsored MPs would not be covered by the ban "if trade union donations to a constituency party are not linked in any way to the member's candidacy". Tony Blair, the Labour leader, has topped the end of union sponsorship of individuals.

The future could be fraught with questions of interpretation for a newly created select com-



Holding up standards: Lord Nolan's initial proposals were no less controversial than those of the Select Committee

Photograph: Dillon Bryden

mittee on standards and privileges, as advised by the newly-appointed Parliamentary Commissioner for Standards, Sir Gordon Downey.

As it is, the paid advocacy ban will not only disappoint commercial lobbyists, PR firms and companies, not to mention MPs, but also organisations such as the Police Federation and charities, who will no longer be able to pay members to advocate causes on their behalf, although paid advice will still be allowed.

The activities covered by the ban (a descriptive rather than exhaustive list) would be speeches, questions, motions, introductions of bills or amendments to motions or bills.

MPs who are paid for advising their outside interests in their capacity as members of Parliament will be allowed to continue doing so, but con-

tracts must be properly registered. MPs would have to deposit copies of the relevant agreements with the Commissioner and record them in the Register of Members' Interests.

The advocacy ban will come into effect from the beginning of the next parliamentary session, 15 November, while all contracts must have been registered by 31 March next year. That represents a Government retreat on the timing of implementation, which ministers originally pressed to be delayed until after the next election.

The real bone of contention for Monday night's debate, to be voted on under a Labour amendment, is over whether fees from agreements should be disclosed. An amendment to yesterday's report by the four Labour committee members and Robert MacLennan, the

Liberal Democrat, called for earnings to be disclosed in bands up to £1,000, £5,000 to £10,000 and thereafter in bands of £5,000, but was voted down by the Conservative majority.

Labour MPs, and around half a dozen Tories so far, argue that the advocacy ban in no way obviates the need for disclosure, as argued by the committee majority.

Large amounts of money would still be earned from advice work – and transparency was absolutely paramount if income was derived from the holding of office as an MP.

It was also conceded yesterday, even by some Tory MPs, that the advocacy ban could not be guaranteed to be watertight because unofficial "advocacy", in some cases with the help of parliamentary colleagues, could occur behind the scenes.

Close vote will hang on Ulster Unionists

JOHN RENTOUL
Political Correspondent

Monday's vote on disclosure of earnings could be extremely close, as seven Conservative MPs declared they could vote with Labour, enough to wipe out the Tory majority of eight. This means the vote could depend on the turnout of Ulster Unionist MPs.

Although it is in theory a "free" vote, with the whips not enforcing party discipline, in effect the House will divide on party lines. All the opposition parties are in favour of the original Nolan report, including its call for full disclosure of income related to status as MPs. The "payroll" vote of 100 Government ministers and their aides will follow the Prime Minister's lead and Downing Street's statement yesterday that he "welcomes" the select committee report "and will vote for a resolution which implements it".

Donald Dewar, Labour's chief whip, said the matter was a "clear issue of principle, and the Prime Minister has lined up on the wrong side of it". He said he was "confident that all Labour MPs would make an effort to attend".

After the death on Tuesday of Derek Enright, Labour MP for Hemsley, and including the whipless Sir Richard Body as a Conservative, the Tories' majority is now eight.

The vote will turn on two factors: the number of Tory MPs prepared to vote for a Labour amendment to the select committee's recommendations, and the turnout of the opposition parties.

Yesterday, the Tory MPs who said they were in favour of full disclosure were: John Biffen, Steven Day, Hugh Dykes, David Martin, Richard Shepherd, Sir Teddy Taylor and David Wisker. Not all of them will necessarily vote with the opposition, but several other MPs were undecided, including David Nicholson (C, Banham) who said he was "sympathetic to disclosure, but had not weighed up all the pros and cons".

Some Tories, such as Sir Teddy, a battle-scarred rebel from the Euro-revolt, want full disclosure but only after the next election – on the grounds that it would be unfair to change the rules for existing MPs. This means that Labour may have to table two amendments. The first would give effect to Nolan's

original recommendation for full disclosure of income, in £5,000 bands, by the end of this year. The second, designed to maximise Tory support, would bring it in in the next parliament.

Labour, the Liberal Democrats and the Scottish and Welsh nationalists are hoping for full attendance. Ian Paisley's three Democratic Unionists and Independent Unionist Robert McCartney are expected to vote with Labour.

But the intentions of the nine Ulster Unionists are less clear. The leader, David Trimble, and his new whip, Martyn Smith, are in the United States. They are expected back at the weekend, and it is thought unlikely their nine members will vote with the Tories.

Tory members of the select committee which turned Lord Nolan's report into a recommended ban on advocacy launched an offensive to argue that their proposals were a "better way" of achieving Nolan's objectives.

Sir Terence Higgins (C, Worthing), said: "Frankly we have been left to pick up the pieces – they did not have enough time, and we dealt with problems that they didn't even think of."

IN BRIEF

Soldiers 'were not illegally detained'

A claim by three British soldiers accused of killing a young Danish woman that their arrest was unlawful was rejected by the Cypriot government yesterday.

The attorney-general, Alecos Markides, said Cypriot police had every right to detain the soldiers in September 1994 during an alert for three men in a car who had kidnapped tour guide Louise Jensen, 23. They were stopped at a police roadblock shortly after the reported abduction and were detained because they and their vehicle fitted the description of those wanted for the kidnapping.

Pte Alan Ford, 27, from Birmingham; Pte Justin Fowler, 27, of Falmouth, Cornwall; and Pte Jeff Parnell, 25, of Oldbury, West Midlands – who were serving with the Royal Green Jackets Regiment on the island – have all pleaded innocent to charges of manslaughter, kidnapping and conspiracy to rape. The case continues tomorrow.

Fire crews strike

Army "green goddess" fire engines rolled back on to the streets of Merseyside after firefighters embarked on a new wave of strikes in the run-up to bonfire night. Further strikes are planned for today and tomorrow. The intensive action will give soldiers and RAF fire rescue teams only the briefest respites as they provide emergency cover until midnight on Saturday, which is likely to be one of the busiest nights for fire call of the year.

Women lose claim

Two black waitresses, Freda Burton, 24, and Sonia Rhule, 31, lost a racial discrimination claim after alleging that comedian Bernard Manning made them the butt of racist jokes during a performance at a Derby hotel where they worked. An industrial tribunal in Nottingham said the hotel could have done more to stop the women being exposed to the racist jokes but did not find it responsible for discrimination.

Briton jailed for life

A Briton has been sentenced by a court in Thailand to life in prison on drug trafficking charges. Brent Fraser, 36, from Perth in Scotland, was found with 1.3lb of heroin and cocaine when arrested last December in a sting operation organised by Thai police and agents from the US Drug Enforcement Administration.

Customers see red

High street bank customers who go into the red capped up paying hundreds of pounds over the odds for the privilege, according to the consumer guide *Which?* Smaller banks and building societies often charge substantially less and the guide urges switching banks if you find yourself subject to high fees. More than 40 per cent of *Which?* readers have switched their current account.

Lenihan dies

Brian Lenihan, Ireland's former foreign minister, and the Fianna Fail candidate defeated by Mary Robinson in the 1990 presidential election has died.

Peter Brooke: an apology

Contrary to our report yesterday, Peter Brooke, Conservative MP for the City of London and Westminster South, is not divorced nor separated. Mr Brooke is a widower. We apologise for our error.

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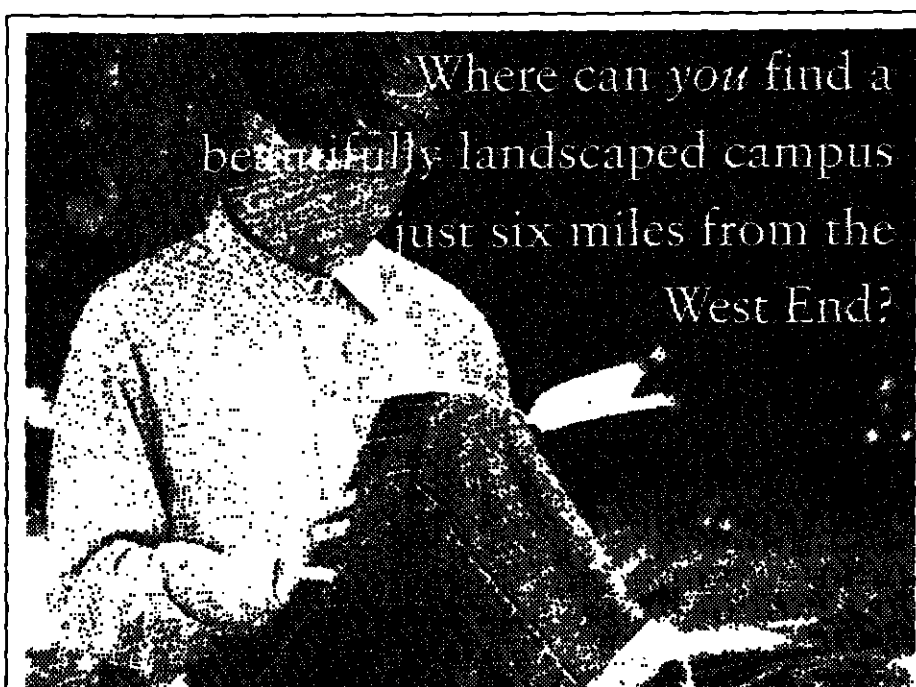
BACK ISSUES
Back issues of the Independent are available from: Historic Newspapers, telephone 0800 402455.

The registered interests of Nolan select committee members

Tony Newton (Tory, chairman) – none.
Quentin Davies (Tory) – director of Dewe Rogerson; member of Market Access Panel, adviser to NatWest Securities; consultant to Chartered Institute of Taxation; occasional lecturing and broadcasting.
Iain Duncan-Smith (Tory) – occasional journalism, broadcasting and lecturing.
John Evans (Labour) – sponsored by AEU, receives no personal benefit.
Sir Archie Hamilton (Tory) – director of Saladin Holdings, Woodgate Farms, Dairy, Siam Selective Growth Trust, First Philippine Investment Trust, James R Glass, Crownridge Industries; consultant

to WS Atkins, Merrill Lynch Europe, Litton Industries Inc; member of Lloyd's (resigned 1995).
Sir Terence Higgins (Tory) – director of First Choice Holidays (formerly Owners Abroad), Lex Pension Trustees; trustee ex-Service Retirement Benefit Plan; economic consultant to Lex-Service group; adviser to KPMG Peat Marwick; economist; occasional lecturer.
Sir Geoffrey Johnson-Smith (Tory) – non-executive director of Taylor Alden, Glengate Holdings, Monk Dunstone Associates SA; adviser on Parliamentary and public affairs to Philips Communications Systems.

Robert MacLennan (Liberal Democrat) – director of Atlantic Tele-News, consultant to Encyclopaedia Britannica; receives expenses as President of Liberal Democrats.
John Morris (Labour) – Queen's Counsel, Recorder of Crown Court, sponsored by GMB Union; does not receive any personal benefit.
Stan Orme (Labour) – sponsored by AEU; receives no personal benefit.
Ann Taylor (Labour) – adviser to Association of Teachers and Lecturers; sponsored by GMB; no personal benefit.
Source: Latest published Register of Members' Interests, 31 January 1995.



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Money is new political division

CHRIS BLACKHURST
Westminster Correspondent

The quickest of glances at the Register of Members' Interests encapsulates the deepening divide over the disclosure of MPs' extra-curricular earnings. Some MPs – mostly Labour – hold no other jobs; some – mostly Conservative – have several.

One part of the Commons exists on the MPs' salary of £33,189 a year; another earns far more.

Just how much, it is impossible to say for sure, and if Monday's vote goes against

disclosure, may never be known. But there are indicators.

Consultancies are worth around £10,000 a year and directorships can bring in £15,000. These are only averages: a directorship can be worth much more. Lucrative share options and shareholdings can also accompany a directorship.

On top of that, MPs can be paid for furnishing introductions and bringing in new clients if their employers are lobbying and public relations firms, or a bank. Then there are fees for television appearances and journalism and lecturing.

The extent of their earning power is huge: there is no shortage of businesses anxious to employ an MP. According to one recent report, 100 MPs – 88 Tories, 10 Labour and two Liberal Democrats – earn at least £3m a year from their directorships. The Nolan inquiry into standards in public life revealed 168 MPs as having 356 consultancies.

Widely thought to be heading the earnings ladder are the Tory, David Evans, with his Leapsquare consultancy company; Sir Edward Heath, with his private company, Dumpton

Gap, which handles payments from his lecturing and writing interests; Geoffrey Robinson, the Labour MP who runs his own engineering firm, TransTec.

On paper, David Mellor is streets ahead of most of his colleagues, with numerous consultancies and his broadcasting work. However, as a consultant his employers are not obliged to declare what he is paid.

The same applies to those other regular broadcasters and writers, Austin Mitchell and Roy Hattersley. They, too, are generally reckoned to earn far more than their MPs' salary.

'Perfect mum' arrested as sons found dead

JASON BENNETTO
Crime Correspondent

A woman described as "the perfect mum" was arrested at her home after her two young sons were found dead in their bedrooms yesterday. They are believed to have been strangled, but the results of the post mortem will not be released until today.

Tracey Rutherford, 25, was found with wounds and taken to hospital. She was released after three hours and was last night being questioned by

detectives at Ipswich police station in Suffolk.

Police went to her council house in Burns Road, Ipswich, at 9.30am after a man called to tell them the two boys were dead inside. Officers found the bodies of her sons Benjamin, 8, and Samuel, 2, in separate bedrooms. Forensic experts were yesterday examining the family's home as officers carried out house-to-house inquiries on Ipswich's Whitton estate.

Mrs Rutherford and her partner Dean Slowley, a chef, split up shortly after Samuel's birth

nearly three-years-ago. Mr Slowley was told by police yesterday about the death of his children.

Susan Souza, 44, who lives next door to the family, said: "What has happened is just so shocking for words. Tracey was a perfect mum. She was loving and caring and thought the world of her kids."

Mrs Souza said that nobody could understand why such a "horrible" tragedy should take place. "I used to speak to her regularly. She always seemed fairly cheerful. She loved buy-

ing toys for her children and they never wanted for anything. Mrs Souza said that their mother would often take the children to McDonald's for a meal.

"If Ben ran out into the road [Tracey] would grab him straight away," she said. "Ben was a very pleasant little lad – always happy and polite. I just cannot believe they are gone."

The family were last seen by Mrs Souza ten days ago when Benjamin told her he was going to visit his grandparents and asked her to feed their cat Jessie. She continued to put

food on their porch every day, believing the family had gone away for a half-term break.

Detective Superintendent Aldwyn Jones, who is leading the police inquiry, said: "I can confirm we are treating these deaths as suspicious. 'We are trying to put together a picture of what occurred, and things are becoming clearer all the time.'"

Det Supt Jones confirmed that the woman in custody was released from Ipswich Hospital after a police surgeon declared her fit to be held at the police station.



Brought to book: Four authors from the Commonwealth who have dared to put their lives on the line for their art and beliefs

Bangladesh: The feminist author, Taslima Nasrin, one of several Commonwealth writers under threat for their beliefs, has become a symbol of the struggle in her country between secular forces and Muslim radicals seeking the establishment of an Islamic state.

Ms Nasrin fled to Europe more than a year ago amid death threats from fundamentalists. She first caused controversy with her attacks on hidebound Islamic male attitudes towards women, but the publication in 1993 of her novel *Lajja* (Shame), which highlighted the persecution of Bangladesh's Hindu minority, made her a political target.

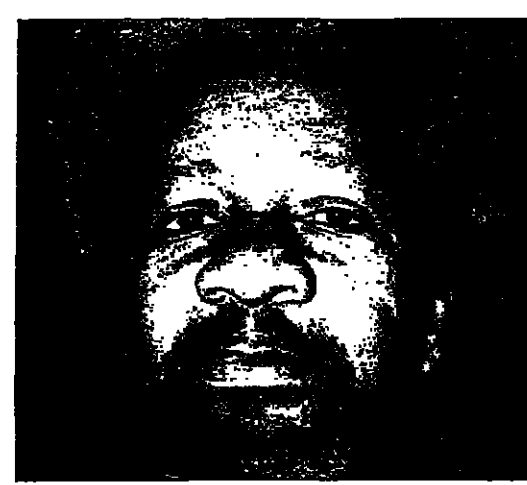
Last year, she was quoted as saying the Koran should be revised. A charge against her of "insulting religious sentiments" is due to be heard in the high court this month, but she has been given permission to remain absent on bail.



Britain: Salman Rushdie, the Indian-born writer, may be a favourite for the Booker Prize, but he remains under threat of death from the fatwa brought against him six years ago by the late Iranian leader, Ayatollah Khomeini, for his "blasphemous" *Satanstoe Verses*. Iran has backed off under international pressure, but has not repudiated the fatwa, and Mr Rushdie remains under constant protection. The Booker contender, *The Moor's Last Sigh*, has infuriated Hindu chauvinists in Bombay.



Kenya: Koigi wa Wamwere, a former MP, human rights activist and writer, is appealing against a sentence of four years in prison and six lashes, after a trial last month in which he faced the death sentence until the last minute. A charge of sedition was abandoned, and Mr Wamwere was found guilty of robbery, a charge which had not been made against him. Human rights groups believe he is being persecuted for his peaceful political campaigning, particularly for land reform in the Rift Valley.



Nigeria: Wole Soyinka, a Nobel Prize winner for Literature and constant opponent of military regimes at home and in the rest of Africa, protested at the death sentence given to his fellow Nigerian. Previous regimes have detained him for up to two years. A year ago, he deposited his wife and children "in a safe place" and slipped into exile, where he has formed a council dedicated to overthrowing the Abacha government.

PROFILES BY RAYMOND WHITAKER

Steel-willed playwright defies the generals



Ken Saro-Wiwa: An all-rounder that Nigeria's military leaders would rather do without as was shown by the death penalty imposed on him this week

KARL MAIER

A power-hungry demagogue to his critics and defender of the minority Ogoni people against the forces of international capitalism and military dictatorship to his supporters, Ken Saro-Wiwa is a playwright, poet and ecological resistance leader wrapped into one package.

It is a parcel Nigeria's military rulers would rather do without, as evidenced by the death penalty imposed against Mr Saro-Wiwa and eight other Ogoni activists this week in Port Harcourt. Since becoming publicity secretary when the Movement for the Survival of Ogoni People (Mosop) was formed in October, 1990, Mr Saro-Wiwa has emerged as one of the most effective campaigners against military rule and rights of minority groups worldwide.

Ironically, when Nigeria went to the polls on 12 June 1993 to elect their president for the first time in 10 years, Mr Saro-Wiwa called for a boycott of the vote, which the military later annulled. It was one example, said his critics, including former Mosop president Garrick Leton, of Mr Saro-Wiwa's refusal to compromise.

Yet, his campaign was never directed at the military *per se*, but at the Nigerian state and Shell, the main oil company in Ogoniland and Nigeria. Civilians and soldiers alike throughout Nigeria's 35-year history have exploited the petroleum resources and in the process polluted the lands and waters of the Ogoni and of other small ethnic groups on the Niger delta. "Even the purest minds in Nigeria are marked by their greed for oil money and their insensitivity to the suffering of the minorities," Mr Saro-Wiwa wrote in *Genocide in Nigeria: The Ogoni Tragedy*. "Ethnocentrism blinds even the best men to injustice, discrimination, even genocide perpetrated against those not of their own ethnic group."

Nigeria's military rulers have argued that Mosop's unravelling of an Ogoni flag meant that it was pursuing the road to secession, but Mr Saro-Wiwa, 54, often said his goal was a state within Nigeria with a bigger share of oil revenues and a clean environment. "We are all black but we are not one people, we worship different gods, our cultures are different," he said in

a 1993 interview. "While I am prepared to stay in the same country, it must be on the basis of social justice and equity."

Non-violence has always been central to Mosop's platform and to Mr Saro-Wiwa's philosophy, due in part to his experience as the administrator of the oil port of Bonny during the 1967-70 Biafra civil war. "The world and posterity have to know that the real victims of that war were the Eastern minorities who were in a no-win situation," he wrote in his account of the conflict, *On a Darkling Plain*.

By 1993, however, three years of government repression was forcing a more militant faction to the forefront of Mosop. Dr Leton resigned as president and was succeeded by his vice president, the late Edward Kobani. Conservative chiefs fled Ogoniland. Saro-Wiwa supporters called them sellouts. The strains had become so severe a year later that a mob of 200 people - instigated, Mr Saro-Wiwa says, by government agents provocateurs - murdered the four chiefs, including Mr Kobani.

Dr Leton has blamed Mr Saro-Wiwa for the killings and called him a "habitual liar, a person who uses the travails of his people to achieve his selfish desires and ambitions."

But Mr Saro-Wiwa's efforts

have won him strong support among the 500,000 Ogonis, admiration, sometimes grudging, in the rest of the country for his defiance of the military, and international star status among human rights and environmental groups as a relentless champion of an oppressed minority.

In December 1994 he was awarded an "alternative" Nobel prize by a Swedish foundation. His campaign for the social and environmental rights of the Ogoni has been taken up by

Amnesty International, Human Rights Watch/Africa, Greenpeace, International Pen, even Body Shop. The novelist, William Boyd, who grew up in Nigeria, and the civil rights crusader Jesse Jackson are also supporters of Mr Saro-Wiwa.

He was educated at the University of Ibadan in Nigeria and worked as an assistant lecturer at the University of Lagos. He later served as an government administrator in River State, south-eastern Nigeria.

This is the opening of Ken Saro-Wiwa's first novel, *Sozaboy*. The book describes in a deliberately disordered Nigerian pidgin English the fortunes of a young recruit in a civil war. The author describes the language as "having no rules and no syntax. It thrives on lawlessness, and is part of the dislocated and discordant society in which *Sozaboy* must live, move and have not his being."

Although, everybody in Dukana was happy at first. All the nine villages were dancing and we were eating plenty maize with pear and knacking tory under the moon. Because the work on the farm had finished and the yams were growing well well. And because the old, bad government have dead, and the new government of soza and police have come.

Everybody was saying that everything will be good in Dukana because of new government. They were saying that kotuma ash-bottom from Boni cannot take bribe from people in Dukana again. They were saying too that all those policemen who used to chop big big bribe from people who get case will not chop again. Everybody was happy because from that time, even magistrate in the court at Boni will begin to give better judgement. And traffic police will do his work well well. Even one woman was talking that the sun will shine proper proper and people will not die again because there will be medicine in the hospital and the doctor will not charge money for operation. Yes, everybody in Dukana was happy. And they were all singing.

Mr Saro-Wiwa has been everything from grocer and property developer to producer of a popular TV soap opera.

Once president of the Association of Nigerian Authors, his writings include children's books, novels, short stories, and a collection of Ogoni folk tales entitled *The Singing Anifall*. A jovial man with a weak heart who loves to smoke a pipe, he looks more like a lecturer than a threat to the military rulers of Africa's most populous nation. But even his strongest opponents concede he has a will of steel.

"I have no doubt at all about the ultimate success of my cause, no matter the trials and tribulations which I and those who believe with me may encounter on our journey," he said in a 40-page defence statement to the tribunal. "Nor imprisonment nor death can stop our ultimate victory."

By targeting the oil sector, Mr Saro-Wiwa touched a raw nerve in the military, which has diverted billions of pounds of export revenues for its own purposes. But he freely admits that all Nigerians, himself included, are responsible for the country's crisis. "We all stand on trial, my lord, for by our actions we have denigrated our country and jeopardised the future of our children," he told the tribunal.

Shell rules out Ogoni return over fears for safety of staff

NICHOLAS SCHOON
Environment Correspondent

Shell yesterday said it had no plans to return to its oil wells and pipelines in the Ogoni area of southern Nigeria because it feared for the safety of its staff there.

"We would only return if we were welcomed by the local people," said a spokesman for Shell International in London. "We're not interested in having to work there under military protection."

Shell's Nigerian subsidiary pulled out of the Ogoni area in 1993 because its staff had suffered beatings, theft, sabotage and vandalism by local people. This stemmed, says Shell, from the agitation of the Movement for the Survival of Ogoni People (Mosop), which wanted a greater share of oil revenues and an end to environmental damage. The movement called for \$10bn in compensation, rent and royalties, amounting to \$20,000 (£12,600) for each Ogoni man, woman and child.

Shell, which operates 96 wells and hundreds of miles of oil pipelines in the area, has had to abandon equipment worth mil-



Hot issue: A burning oil well in Nigeria's Ogoni region

lions of pounds as well as the oil reserves. It claims that damage worth about £30m has been done to four oil pumping stations since it quit.

The Ogoni area, like much of the vast, swampy Niger delta, has suffered extensive environmental damage from more than 30 years of intensive onshore oil production. Shell has the biggest presence among several oil multinationals operating in Nigeria, but all oil exploitation is done in compulsory partnership with the state-owned Nigerian National Petroleum Corporation.

Oil provides the great bulk of the Nigerian Government's revenue and almost all the country's export earnings. There are dozens of onshore fields linked by 4,000 miles of pipeline to the coast.

The Ogoni area is rural but densely populated, with 500,000 people living off farming and fishing in an area the size of greater London.

The biggest environmental problem is oil spills which damage farmland and contaminate waterways from which the Ogoni get fish and water. Many of the pipelines are corroded;

Shell admits that this is the main cause of the more than 200 spillages that occur each year.

But a quarter of spillages are due to sabotage, says Shell, and in the Ogoni area the proportion is more than two-thirds. Hacksaw cuts and tampering with valves are the main methods. The oil company says local people do it in order to claim compensation or "make political gains".

Another major problem is the flaring-off of the gas which comes up with the oil. The flares are hot, noisy and light up the night sky. When oil occasionally gets burnt with the gas soot is dumped on villages.

Greenpeace claims that Shell could never get away with operating onshore oilfields in the developed world in the way it does in Nigeria. But it is not simply a matter of riding roughshod over the environmental needs of poor, uneducated people. The physical environment is very hostile - swamps, poor roads, flooding, extreme temperatures and humidity - and so is the political one, with an incompetent military dictatorship apparently uninterested in enforcing environmental standards.

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Comedy actor contemplated suicide as he turned fugitive and left West End role. Now he is working in film and TV again

Fry saved from abyss by thoughts of his family

DAVID LISTER
Arts Correspondent

Stephen Fry spoke yesterday for the first time about the breakdown he suffered earlier this year, saying he had considered committing suicide.

Referring to his dramatic exit from the West End play *Cell Mates*, he also criticised the show's producer, Duncan Weldon for suing him for £500,000.

"He does not accept medical reports that make it quite clear that I was not a well person," said Fry.

The comedian and actor was speaking to journalists for more than half an hour, before being reinstated as Rector of Dundee University.

He said that ultimately it was the thought of hurting family and friends which pulled him back in the days when he was alone in Europe. He has since undergone psychotherapy in the US.

He was now feeling much better, he added, and was starting to work with cameo roles in TV and film. He was also getting back to writing.

Looking slim and fit, having lost two stone and begun training at a gym - and with his once dyed blonde hair now a brown colour, called *Chocolate Kiss*, he said he was ready to take on the future. But he would not be working and pushing himself as much as in the past.

The pressures of working non-stop in entertainment for so long had contributed to him reaching "crisis point" when he got bad reviews in *Cell Mates*.

It was a general feeling of complete unhappiness, he said.

"When you get just a complete sense of blackness, a void head view that somehow the future looks an impossible place to be, and the direction you're going seems to have no purpose."

"There is this word, despair, which is a very awful thing to

feel," he said. Asked if he had contemplated suicide he said: "Yes, of course, if one is honest, yes absolutely."

He refused to describe the crisis moment, saying it could be something he would write about in the future, but the thought of family and friends pulled him back from the edge.

"It seems a rather negative thing that the only reason to consider carrying on having a pop at living is so other people don't get upset, but it is a good enough reason. One is reminded of the Dorothy Parker line, you might as well live. I hasten to say I do not feel that kind of black at the moment."

He added referring to himself: "You look at your life and say it is hopeless when in fact it is not hopeless. You've got friends, enough money to take time to do things, far luckier than many other people. It was an absurd over-reaction. There is no ignoring that."



Pulling power: Stephen Fry is taken in a carriage, drawn by students, from Dundee City Square to the University yesterday

Trial: Rosemary West was 'not worried' by stories of a body under the patio

Family tale held truth about Wests' daughter

WILL BENNETT

A family story that Heather West was buried under the patio at 25 Cromwell Street, Gloucester, emerged during a row between the West children Rosemary West told Winchester Crown Court yesterday.

Mrs West admitted that she had been appalled by the story which was blurted out by Anne Marie Davis, her stepdaughter, and then passed on to her by two of her children.

Mrs West also said yesterday that she might "pay dearly" for being involved with her husband, Frederick in a sexual assault on a woman more than 20 years ago. She insisted that her memory of the attack on Caroline Owens in 1972, for which the Wests were subsequently convicted and fined, was unclear.

Mrs West, 41, is pleading not guilty to the murders of 10 girls and young women whose remains were found at 25 Cromwell Street and at the Wests' previous home in Gloucester. Mr West, who was charged with 12 murders, was found dead in his prison cell on 1 January this year.

Under cross-examination by Brian Leveson QC, prosecuting yesterday, Mrs West told the court: "I would like to say that there was an incident with Caroline Owens. It was a mistake in my life, obviously now I tremendously regret it. I am going to pay dearly for this one mistake I made in my life. But the fact is ... I am on trial for murder, not indecent assault."

On her third and final day in the witness box Mrs West told the court that her memory of the attack during which Mrs Owens was stripped, bound, gagged and sexually assaulted was "practically non-existent".

"It was something that I wanted to forget and put completely out of my mind. It was very traumatic. As far as I was concerned it was something that had been dealt with in court." Asked if she recalled gagging Mrs Owens with tape, Mrs West replied "No sir, I was too terrified at the time."

Mr Leveson said: "Let me make it abundantly clear. This was the start of your career sexually abusing girls wasn't it?" Mrs West replied: "No, sir."

Mrs West denied knowing Lynda Gough, whose remains were found at 25 Cromwell Street, and said that it was not she and Mr West that Lynda's mother had spoken to when she said she went to 25 Cromwell Street to look for her daughter.

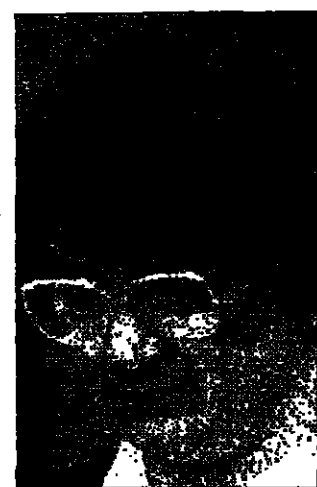
Mrs West told the court that she had never seen any of the five girls whose remains were found in the cellar at 25 Cromwell Street and who the prosecution alleges were bound, gagged and kept alive while they were sexually abused.

Mr Leveson asked her if she would like to see a photograph of the gag found with the remains of Lucy Partington, one of the five. Mrs West replied "No thank you, I have seen enough of the horror thank you." Mr Leveson said: "You were involved in her death as in

the others." Mrs West replied: "I didn't kill anyone." She broke down and wept as Mr Leveson asked her why she had at first denied that she knew Shirley Robinson, a lodger at 25 Cromwell Street whose remains were found in the garden with those of an unborn child.

Mr Leveson said: "You knew perfectly well who the police were talking about." Mrs West replied: "No sir, I was very shocked, I was in a state at the time." She said that she knew Shirley was pregnant but was not aware that Mr West was the father. Mr Leveson said that her husband had taunted Mrs West, saying that he had made another woman pregnant and that that would have been "extremely humiliating". He said: "This time - no sexual abuse, no binding, no mask, just kill. You were fully involved in that weren't you?" Mrs West replied: "No sir. The girl was pregnant sir, I could not kill a baby. I would not kill anybody. It took a really sick mind to do something like that."

Asked about evidence that



Rosemary West: Denies murdering her daughter

she had given conflicting explanations for her daughter Heather's disappearance, Mrs West said: "It's all very well for someone to say I said this or I said that. I am the one in the spotlight. Fred West is dead and I have got to take responsibility for what he has done."

Mr Leveson said: "What is happening, Mrs West, is that it is not everybody dumping everything on you it is you dumping everything on Fred West." Mrs West replied: "Fred is responsible for these murders. I wasn't mixed up in murder, especially of my own daughter."

Mr Leveson asked her if she had ever gone to the police or any other authorities after Heather's disappearance. Mrs West said she had not, but she had kept an eye out for her in Gloucester. Mr Leveson suggested that in doing so she was hoping that Heather's murder had all been a "bad dream" and that her daughter might still be alive. Mrs West replied: "No, sir."

She also said that the remark about Heather being buried under the patio did not worry her because it was said in a fit of anger by children.

The trial continues today.

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Editor quits in new blow for ailing Express

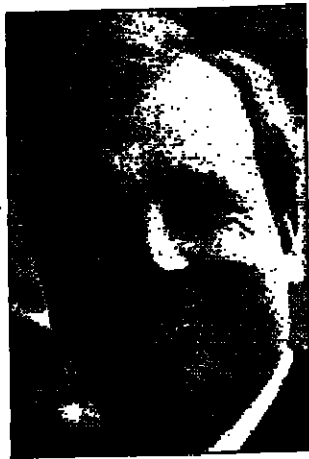


The Express group of newspapers, once Britain's most successful and influential mass market titles, was yesterday plunged into yet deeper turmoil, on news that Sir Nicholas Lloyd, editor of the *Daily Express*, will resign at the end of the month.

This marks the latest chapter in the decline of what were once the legendary Lord Beaverbrook's crown jewels, in recent years starved of investment and dogged by a price war and rising newspaper costs.

It is understood that Sir Nicholas' decision to leave was prompted by efforts by Lord Stevens, chairman of the newspaper's owners, United News and Media, to hire a new editor in the group which also include the *Sunday Express* and the *Daily Star*.

Last month, Lord Stevens was said to have flown to New York to offer the job to Martin Dunn, former editor of *Today*



Change over: Outgoing 'Express' editor, Sir Nicholas Lloyd (left), and possible successor Kelvin Mackenzie

and now editor of the *New York Daily News*. Mr Dunn declined the offer, believed to be worth £300,000 a year.

Sir Nicholas's departure fuelled speculation over a successor. Kelvin Mackenzie, head of Mirror Television and former editor of the *Sun*, was said last night to have "no intention" of

1.2m. Sir Nicholas had been under growing pressure to reverse the trend. Earlier this year, the Express group announced 220 redundancies and said it would seek additional costs savings. The move was seen as a first step toward preparing the titles for eventual sale.

But yesterday's announcement was seen as an indication that Lord Stevens had no plans to sell. "He has clearly decided to make a go of it, and he is looking to bring in someone to improve the titles," said a senior industry executive.

Despite the denials, speculation continued last night. The secretive Barclay brothers are mentioned as would-be buyers of the titles, as was Tony O'Reilly, owner of the Irish Independent.

Alternatively, United Media might choose to work more closely with other national newspapers to develop jointly operated back office, printing and production facilities.



Once proud: The Express's former Fleet Street building

More legal humiliation for Howard

ANDREW BROWN

In the latest legal humiliation for the Home Secretary, Michael Howard, the High Court yesterday ruled that his decision to ban from Britain the Rev Sun Myung Moon, founder of the Unification Church, was "unlawful by reason of procedural unfairness".

Mr Justice Sedley confirmed that the Home Secretary did have the power to exclude Mr Moon, founder of the sect known as Moonies, if he concluded his presence would not be conducive to the public good. But this power could only be exercised after Mr Moon had had an opportunity to put his defence, which in this instance Mr Howard had not allowed him.

"This is precisely the most unpopular applicant for whom the safeguards of due process are most relevant to a society which acknowledges the rule of the law", the judge said.

The Mr Moon, 75, had been due to address a crowd of around 1,100 in a conference centre in central London on Saturday. His movement claims about 700 full-time adherents in Britain and 4 million round the world. It is financially active and successful: the Charity Commissioners estimate that 60 businesses in this country are connected with it. In America the church owns a conservative newspaper, the *Washington Times*, and a fishing fleet.

Judge defends controversial law reforms

STEPHEN WARD :
Legal Affairs Correspondent

The head of the Government's legal advisers yesterday strongly defended divorce, domestic violence, and right-to-die reforms against criticism by Tory backbenchers.

Alerted by a virulent campaign in the *Daily Mail*, the MPs have criticised the independent Law Commissioners for what they see as peddling a hidden agenda of liberal values behind the backs of Parliament.

In the latest phase of their campaign, the *Mail* attacked proposals from the commissioners in a 250-page report published in March which recommended patients should be able to make "living wills" that instruct doctors that they should not be kept alive if they become mentally incapable, or should be able to appoint a relative or lawyer to decide if they are unable to decide for themselves.

Mr Justice Brooke, a High Court judge coming to the end of his three-year term as chairman of the Law Commissioners, pointed out that every conceivable interested group had been involved in five years of discussions before the report was published in March.

More than 40 groups, including critics, took part in working parties, and more than 100 organisations and experts responded to consultation papers.

pers. "Nobody who conceivably might have responded is missing. The idea that it is just pressure groups is rubbish," he said. The changes proposed were not altering the law, but clarifying it, or giving a simpler remedy where the existing one was too slow or expensive.

However, he welcomed the debate that the *Mail* had provoked. "These are difficult issues. As long as the public debate is well-informed, or even if it is not, this is what freedom of speech, and freedom of the press, is all about."

The Lord Chancellor, the Home Secretary, the Health Secretary, the Social Security Secretary, and officials from their departments have all been involved in the discussions. There is also likely to be a period of public consultation.

Lady Olga Maitland, the Tory MP who helped force changes last week to the Family Homes and Domestic Violence Bill, renewed her attack yesterday on the divorce proposals. "The Law Commissioners are living in another world. The more we learn about what they are proposing, the more I realise we should not allow boffins to dictate our lives. Bravo to them for putting forward ideas, but my goodness, it does not mean we are obliged to accept them. I think they are living on another planet."

News analysis, page

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فكانت الامم الاصل

Education Secretary: A tricky spending round and the nursery vouchers scheme have put Mrs Shephard centre-stage again

All options open for the Cabinet Houdini

JUDITH JUDD and DONALD MACINTYRE

Who is Gillian Shephard? After 45 minutes' interview it is

she the leftish champion of more public spending on state schools, or the rightish proponent of radical and controversial schemes for vouchers and more Government-funded places in private schools? Does she want a Whitehall takeover of schools, or will the former local authority schools inspector be true to her past?

She weaves her way, Houdini-like, through determined attempts to pin her down, with a lightness of touch that must be the envy of her male colleagues. Very occasionally she has to pause to construct a diplomatic reply.

What is it like being in a minority of two (women) in the Cabinet? She literally bares her teeth. The gleam in her eye is unmistakable. "Debate," she begins, "is conducted in a very male way. There is a delight in confrontation rather than in a cool examination of the issues, but when it comes to it, of course, a sensible accommodation is reached." There is another pause. Then, as though she feels she has been unduly fair to the assembled Cabinet suits, she goes on, "I always find the substance more interesting than the mode in which it is being conducted" - another pause, then getting bolder - "that's my view, perhaps by contrast with some of my colleagues."

Translated, that presumably means that it is absolutely infuriating to have to listen to a lot of pompous men showing off and scoring points off each other when we should be getting on with governing the country.

Mrs Shephard's male colleagues are much in her thoughts at the moment. She is battling with Kenneth Clarke, the Chancellor of the Exchequer, and William Waldegrave, Chief Secretary to the Treasury, over public spending on education. But, whatever she thinks about their mode of argument,

she is conventionally tight-lipped about the substance of her discussions. Education needs to be "convincingly" resourced. So will she settle without a direct appeal to Cabinet? "I don't know." Is she worried - as she locks horns with the Treasury over spending - that her party has been allowed to become too greedy for tax cuts? "I am absolutely certain that the Chancellor will not produce a budget that is not in the long-term interests of the economy. What he will do is produce a budget that does the right things. From everything that he says you can judge that that is so."

The Prime Minister is backing her fight to make education a spending priority. On other issues, however, there are reports of differences between her department and Downing Street.

"I always find the substance more interesting than the mode in which it is being conducted"

A year ago she was saying vouchers were "cumbersome and opt-out schools seemed to be a secondary concern. Now, she is running a nursery vouchers pilot scheme and talking about ways of allowing all schools to become grant-maintained.

The reason, many believe, is John Major's insistence on a more right-wing agenda in education than she would choose if left to her own devices. So is there a split? Is Downing Street or her department running education? The smile again. "There is not a cigarette paper between us," she says with a twinkle. "I do welcome the Prime Minister's involvement in education." She says she no longer has, if she ever did, "Napoleonic tendencies"; on choice and diversity she is foursquare with Mr Major. As for vouchers, she speaks of them with the enthusiasm of the convert. What happens if the pilot, due to start next February, is a flop. "It won't be a flop." But

someone by saying 'you are very well-informed or very intelligent'. Such a compliment is only beginning to gain currency here. In the past, it was what you said to someone who you found hideous."

This is persuasive; but it doesn't answer the question of which wing of the party she is coming from. There are those who think that she regards as unrealistic the increasingly fashionable Tory objective of shrinking public expenditure to well below 40 per cent of national income. Not so, it seems. "I think it is realistic, but you can't deliver it quickly in a democracy like ours," Peter Lilley's achievements in "shrinking the base" of social security spending while continuing to help the most vulnerable, is "remarkable and rather unsung."

In general, though, doesn't she think that there is something in Labour's charge that the party has lurched to the right and vacated the "one nation" territory to the Opposition.

Isn't the revolt threatening Lord Muckay's Divorce Bill an example of the right-wing tail wagging the dog? Well, it would be "wholly inappropriate" for her to comment on divorce as the Lord Chancellor discusses his Bill with colleagues. But overall, John Major had set out very clearly "where he stands and where we stand".

"Of course, one nation Toryism is very important and he did put it at the centre of his [conference] speech. But what he also made clear is that his views on Europe, on monetary union and a single currency, on a firm but fair immigration policy, might by some be labelled as right-wing, but they would also be labelled by our supporters in the country as very welcome."

Hang on. A firm but fair immigration policy? Hadn't she been conducting a ferocious - and comprehensively leaked - correspondence with Michael Howard, opposing his plan to penalise employers of illegal immigrants? Again, the charming if, this time, slightly steely smile. "You must be talking about a stolen document." Stolen or not, it had still exposed her strongly held views to the wider electorate. Had it not? "I don't comment on stolen documents. It isn't a thing I do. What you can expect is that when a policy is being prepared there always collective discussion."

So there you have it - neither identifiably left nor right. Are there the makings here - as some Tories now believe - of a figure who could unite both wings of the party in succession to John Major? After all, if you had said, in 1973, about another woman Secretary of State for Education that within two years she would be leading her party, most Tory grandees would have scoffed with disbelief. So could she, too, become the leader? "John Major will lead the party up to the next election and beyond and well into the next century. I'm a bit too busy for hypotheses." It's an answer which almost certainly exaggerates the longevity of the Major premiership and leaves all her options wide open.



No Napoleon: Gillian Shephard welcomes John Major's involvement in her department

Photograph: Glynn Griffiths

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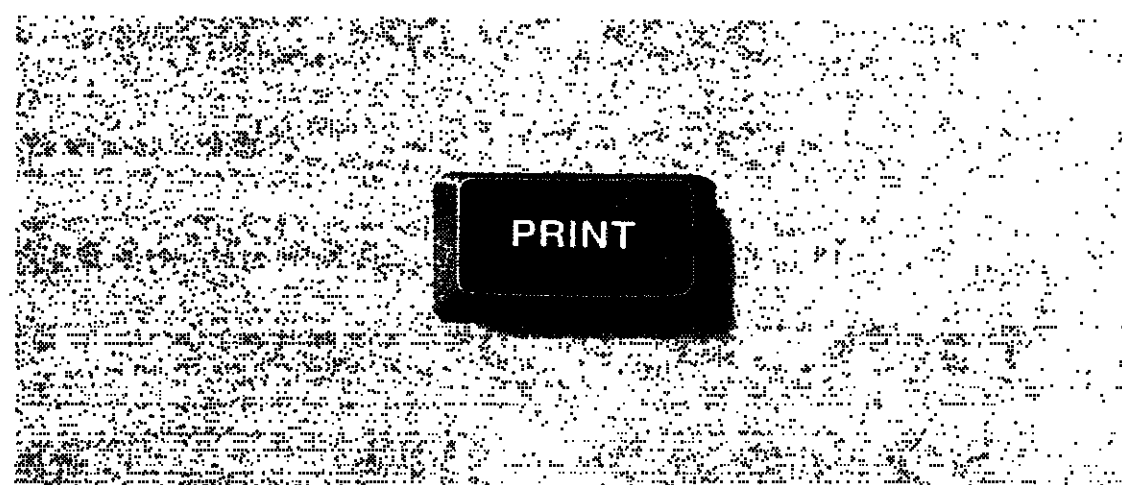
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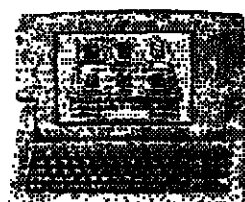


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news

Television promotion: 'Talking shelter' is advertising gimmick for new science fiction channel

Bus-stop patter of invisible bore

CLARE GARNER

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A menacing laugh brings the "conversation" to an end, but if you're unlucky enough to be still waiting for your bus you have to suffer it all again.

The recording is the latest gimmick dreamt up by the bus

shelter advertising company, Adshel, to promote Sci-fi TV, a new satellite and cable channel, from shelters in cities across Britain.

People waiting to catch the number 52 bus from a shelter in London's Knightsbridge yesterday were unimpressed with the publicity for "television from the other side".

"It's bad enough waiting for a bus without the bus stop talking to you," said Janet Concoran, 51, from Ealing, west London. "If it told you the times of buses that would be a bit better ... I think it's probably going to get kicked in."

Another agreed. "It makes me very annoyed. I don't like to be disturbed when I'm waiting for a bus."

Chris Berry, Adshel sales director, said: "I hope that we'll be able to provide passengers with a little light entertainment during their wait for the next bus."



Hearing is believing: Waiting passengers listening to 'The Invisible Man' in Knightsbridge Photograph: Philip Meech

Son 'thought scheme to boost shares was legal'

Kevin Maxwell spent more time watching Oxford United play football than he did on pension fund business, he admitted yesterday.

"Do you regard that as disgraceful?" asked Alan Suckling QC, prosecuting at the Old Bailey.

Although Mr Maxwell, then chairman of the club, denied this, he said that if he could turn the clock back there were a lot of things he would have done differently. "There is a lot I regret about my conduct."

In his 13th day in the witness box, he admitted that he spent about 30 minutes a week on Bishopsgate Investment Management (BIM) business, involved in the administration of pension funds.

Quizzed by Mr Suckling as to whether he had ever studied BIM's rules on pension funds he admitted: "I am afraid I did not ... I relied on others." He delegated the implementation of the rules to BIM.

Mr Maxwell and Mr Suckling frequently clashed during the hearing, first of all when the prosecutor questioned him about the meaning of trust in relation to the pension funds.

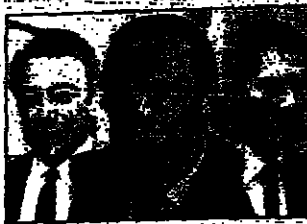
Mr Maxwell said he did not know the legal meaning of the word trust but he agreed that he knew the funds were being held for the benefit of the pensioners and for no one else's, and that he had a duty to act as a BIM director with that in mind.

Dealing with a share support scheme mounted by his father to fend off what he perceived as an organised bear raid on Maxwell Communication Corporation (MCC) shares, Kevin Maxwell said he had been told the scheme was legal.

It involved channelling money from MCC through the Robert Maxwell Group to offshore funds to buy back MCC shares in the hope of pushing up the price.

Up to £150m had been spent on share support and the other directors had not been told about it although his father had told him he had taken ad-

The Maxwell Trial



Day 95

vice and it was legal. When Mr Suckling suggested the reason that the tycoon had not told his directors was that he would not dare, his son replied: "I don't think my father was afraid of anyone or anything ... he just didn't think he needed to explain."

Kevin Maxwell said he too had sought advice about the scheme but admitted he had not revealed the full details of it to the lawyer he consulted.

Mr Suckling asked: "Did you have something to hide?" Mr Maxwell said: "No, on the contrary, you don't go to a lawyer to seek advice on what you are worried about if you are hiding something." Pressed on whether he gave his lawyer all the details, he said: "Mr Suckling, I haven't come here to pull the wool over your eyes or anyone else's eyes. I take very seriously the process of giving evidence and I am not lying to you."

He told the court that in his view his father's decision to use private money to support MCC in its difficulties was "ultimately lethal". He had argued against it but his father was unmoved.

He denied the suggestion that the group was in "desperate straits" in 1991. Although there were liquidity problems and it was "going through choppy water" the group's assets were worth billions. Before the crash his father's holdings were worth more than £1bn.

Brothers Kevin and Ian Maxwell and Larry Trachtenberg deny conspiracy to defraud the pension funds by misusing shares. The case was adjourned until today.



Kevin Maxwell: 'Relied on others' to check pension rules

Companies shift to flexi-workers

BARRIE CLEMENT
Labour Editor

Official figures reveal a massive shift towards a flexible British workforce with the number of temporary employees shooting up by more than 40 per cent in three years.

The growing demand for flexibility by companies has meant that the number of temporary workers now stands at nearly 1.7 million, the latest Labour Force Survey shows.

Unpublished statistics from the National Association of Citizens' Advice Bureaux (NACAB) also reveal a growing "feel-bad" factor among the new flexible workers. The organisation's centres all over Britain have seen a 31 per cent rise in inquiries relating to employment since 1988, and in the last 12 months nearly 700,000 people complained.

Sean Roberts of NACAB, interviewed for BBC2's *Public Eye* programme which is being televised at 8pm tonight said that people were "paying the price" for the greatly deregulated labour market. "This idea of flexible working means that people are losing rights they used to have. There is no protection now against low pay."

The right wing Institute of Directors is also showing signs of concern. Ruth Lea, head of policy at the institute, told

BBC2 that flexibility gave Britain a distinct competitive advantage. However she conceded that some employees had been victims. "What has tended to happen is that people with relatively few skills have found the labour market working against them because there were too many of them [looking for the same work]."

But Ms Lea opposes a statutory national minimum wage as planned by the Labour Party. "If the minimum wage were put at anything like a reasonable figure, say £4 an hour, then inevitably that will start to price people out of jobs, especially where people are paid badly."

John Monks, general secretary of the TUC, told *Public Eye* that "zero-hours contracts" were becoming more popular, where employees are kept on call but are only paid when they work. He said that companies were taking advantage of high unemployment in many parts of the country, and that zero-hours contracts were clearly exploitative.

Mr Monks added that unemployment was rising in some of the sectors where low pay was prevalent and, at the same time, wages were falling. People worked long hours, but remained in poverty.

The taxpayer, he said, was subsidising bad employers through the benefits system.

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Tumim saves his parting shot for Howard

Penal policy: After eight difficult years, the Chief Inspector of Prisons has cleared his desk and spoken his mind

HEATHER MILLS
Home Affairs Correspondent

Judge Stephen Tumim yesterday ended his eight-year stint as Chief Inspector of Prisons. A head-on clash over penal policy with the Home Secretary is said to have ended his career as the guardian of prisoners' rights and conditions.

But as he went to clear his desk on the 10th floor of the Home Office, Judge Tumim denied suggestions that the prison reform battle had been forever lost to Michael Howard's "tough, austere and prison works" agenda.

"The pendulum will swing back again," he said, adding in what will be seen as a final swipe at the Home Secretary. "It may not be until after the election, but remember, that is only a year or so away."

Judge Tumim has always publicly sought to play down the rift between himself and the Home Secretary, but sources close to the 64-year-old former county court judge said he so valued and believed in his work that he had been personally "hurt" by Mr Howard's decision not to renew his contract.

There is no doubt that the constant drip, drip of one of his critical prison reports after another coupled with the ability to grab headlines with blunt language — had clearly annoyed the Home Secretary. Whereas previous inspectors' reports barely troubled the media, none could reject those which, for example, labelled Dartmoor "a dustbin", Brixton "a corrupting and depressing institution", and Armitage "a sub-culture of self-destruction". In his eight years he has graphically detailed the appalling plight of the mentally ill in Brixton's notorious F-Wing and of the babies of Holloway mothers not allowed to crawl on cockroach-infested floors. The Prison Service was forced to act.

But even more embarrassing for a Home Secretary, anxious

to prove his tough law and order credentials, was when Judge Tumim criticised poor management, drug-ridden jails and security failings. Matters came to a head over the Parkhurst fiasco, when Judge Tumim said had written to the Home Secretary and Derek Lewis, the then head of the Prison Service, warning of lax security at the jail, only weeks before the breakout.

There is also no doubt that his relentless campaigning has vastly improved the lot of the country's 52,000 prisoners. Yesterday, Stephen Shaw, of the Prison Reform Trust, said he had been a "unique and powerful"

catalyst for change, raising public awareness of conditions in many prisons.

He was tireless in his demands for more active regimes for prisoners, for more education, more work, better health care, treatment and rehabilitation programmes. He made overcrowding a dirty word. And he rightly takes credit for ending the unhygienic practice of "slopping out" by persuading the Government to introduce in-cell lavatories.

His faults, according to those inside the service, as well as out, were that he personalised the work of the 21-strong prison inspectorate too much and that he was oblivious to some key prison issues — like racism.

Judge Tumim sat on Lord Woolf's inquiry into the Strangeways riot, which adopted his humanising approach. And for a brief period, its recommendations, to take petty offenders out of jail in order to enable resources to be put into them to make them more constructive and rehabilitative, found their way into Conservative criminal justice policy. It was short-lived. Since Douglas Hurd left the Home Office in 1991, successive Home Secretaries have reversed the reforming agenda.

Judge Tumim knew he was losing influence when he was overlooked for leading the various inquiries into riots and escapes, which traditionally he has carried out. The Wymott disturbances, followed by the Whitmoor and Parkhurst escapes were all given to others to investigate.

Now, as Judge Tumim goes off to write a book, the question is who Mr Howard will appoint to take his place. There are concerns among the reform lobby, shared by Judge Tumim, that the Home Secretary may appoint a more pliable inspector. "The need for independence has to be born in mind by Ministers as by Inspectors, if the system is to work," said the judge.

What Tumim said...

March 1990, after his inspection of Brixton jail: "This is a corrupting and depressing institution, in particular for the unconvicted in the principal remand centre for London and the South East of England."

September 1991, after inspecting Dartmoor Prison: "It is not to be treated as a dustbin to hold prisoners no other institution wants to take."

January 1995, after the Parkhurst escape: "There is a lack of high morale in the Prison Service. There is a feeling — I am sure wrongly — that they are not going to cope and there is a crisis of confidence."

February 1995, on widespread drug abuse in Styal women's prison: "Women are entering as shoplifters and leaving as drug addicts."

October 1995, on the Learmont inquiry into the Parkhurst escape: "It's the road to the concentration camp if you go too far along it and it's quite wrong. It's morally wrong."



Judge Tumim: 'The pendulum will swing back again. It may be after the election, but that is only a year or so away' Photograph: Edward Webb

Weather boosts tourism

Scorching summer heat helped lure a record 2.87m overseas tourists to Britain in August — the highest total for any month, it was announced yesterday.

The big increase means 1995 is set to be a record year for foreign visitors.

The August visitors spent a record for the month of £1.46bn — compared with £1.43bn in August 1994, according to figures from the Central Statistical Office.

The August influx means that more than 15.72m overseas tourists visited Britain and its attractions in the first eight months of the year — 11 per cent

more than in the same period last year.

The figures indicate that the record annual total of 21m, set last year, should be comfortably overtaken.

Foreign tourists have spent £7.53bn so far this year — 12 per cent more than in the January-August period last year.

Virginia Bottomley, the Secretary of State for National Heritage, whose department takes overall responsibility for overseeing and developing the lucrative tourist industry, said: "These figures are hard evidence of our success in attracting visitors and the boost to the

economy and potential for more jobs.

"Our culture and heritage have long brought visitors to the UK. Now there are new factors, such as the end of the global recession and advantageous exchange rates. We must make full use of them."

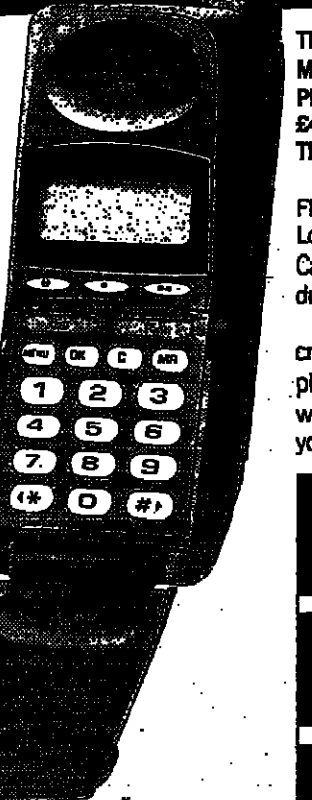
The Confederation of British Industry would debate tourism at its annual conference for the first time on November 14, she said, adding that she would tell the conference she wanted to discuss how the Government could help tourism and other businesses take full advantage of the potential for growth.

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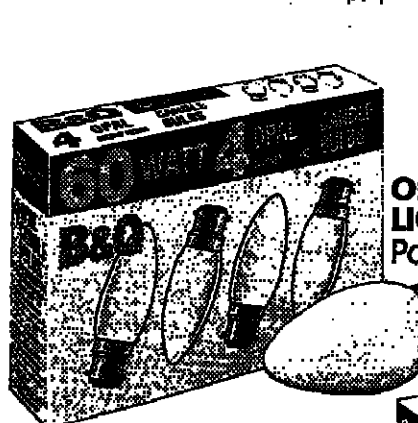
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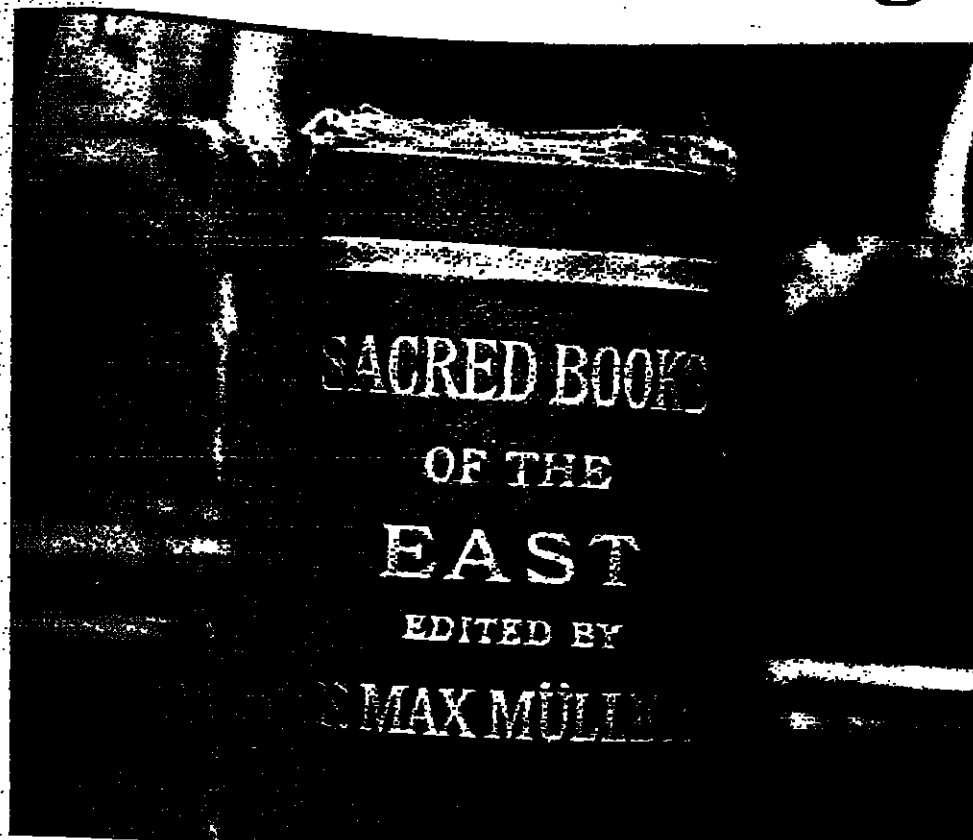
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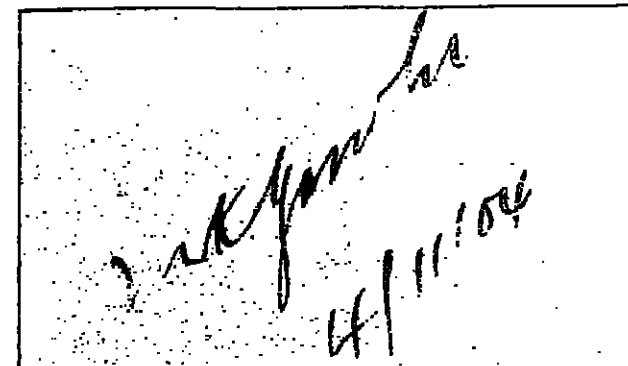


MARIANNE MACDONALD
Arts Reporter

Mahatma Gandhi's personal and annotated copy of *The Bhagavadgita*, the sacred Hindu work he used for his spiritual guidance, is to be sold at auction later this month.

Heavily marked with comments in pencil, the book, estimated to raise up to £8,000, was described by the campaigner for Indian independence as "the supreme book for the knowledge of the truth".

The Indian leader, who chanted passages from the *Gita* every day, "regard[ed] it as practically a scientific system by which self-realisation could eventually be attained" according to a biographer, Vincent Sheean. Although Gandhi was born in India, this copy is an English text. Marked "M K Gandhi 4/11/04", the 1898 edition was translated by Kashinath Trimbak Telang and published by the Clarendon Press, Oxford. Its owner's annotations provide a unique insight. Although the pencil comments in English are restricted to page references, the



Famous last words: Gandhi's signature on the book

underlined passages throw light on his personal philosophy.

One reads: "Actions... do not fetter one who is self-possessed, who has renounced action by devotion, and who has destroyed misgivings by knowledge." Another observes: "One who is self-restrained, whose understanding is unattached everywhere, from whom affections have departed, obtains the supreme perfection of freedom from action by renunciation."

Mohandas Karamchand Gandhi was born in 1869 in western India, but began his career studying law in England

and then practising in South Africa. He returned to India in 1915 and established ascendancy over the Indian National Congress Party.

Five years later he persuaded it to adopt a policy of non-violent non-co-operation to secure India's independence. His spiritual principles governed an austere private life, of which the *Gita* was a central focus. Imprisoned by the government for his ideals, which only earned him further prestige as a "mahatma" – great soul – he was assassinated in January 1948 by a Hindu extremist.

New rules to govern care of the mentally ill

GLENDIA COOPER

New guidelines on co-operation between agencies dealing with the mentally ill were issued yesterday to avoid the "tragic consequences" of a number of cases where patients have killed or attacked others.

The guide "Building Bridges" was begun in February 1994, after the publication of the report which identified major failings in the co-ordination of care of Christopher Clunis, a schizophrenic who stabbed Jonathan Zito to death in a tube station.

It will be sent out to all health and social services and voluntary organisations and attempts to clarify procedures for dealing with the mentally ill.

The guidelines concentrate on a commitment to joint working between health, social services and other agencies at all levels. Information exchanges should be set up between agencies.

"Responsibility for providing good community care for mentally ill people is not the job of one agency alone," the report said, "just as it is not the responsibility of one professional group alone."

Lack of co-operation between agencies has been a recurring theme over the last few years. In September, the Woodley Team report into the killing of Bryan Bennett by Stephen Laudat concluded there had been a catalogue of "missed opportunities", and good social care had been undermined by inadequate health care. In August two reports, by the Social Services Inspectorate and the Clinical Standards Advisory Group, condemned "Care in the Community" as "haphazard" and "confused".

The guide calls for agencies to target resources at those who have greatest need and to define who are the severely mentally ill. The guide's framework definition says that "people suffering from severe mental illness" are those suffering from sort of mental illness such as schizophrenia or dementia who are unable to care for themselves, sustain relationships or work, have suffered recurring crises and are a "significant risk" to the safety of themselves and others.

Patients who are at a "significant risk" of danger should be included on a supervision "at risk" register. The patient should be informed orally and in writing that they are on such a register. Such registers are confidential and the report also says that teams should have written policies on how such information should be disclosed and to whom.

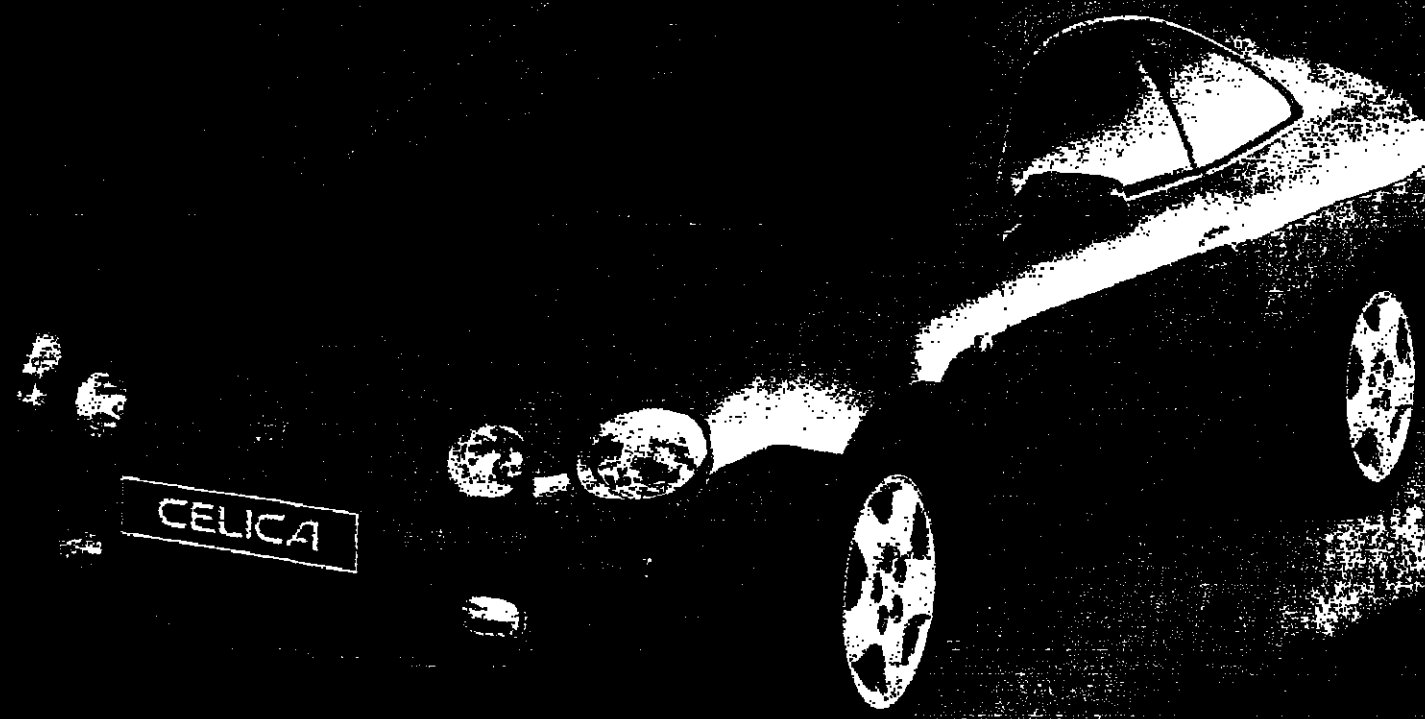
The report also deals with the question of violent deaths caused by Care in the Community patients, whether homicides or suicides.

In cases of homicide, the district health authority must always hold an independent inquiry. Such an inquiry must cover the care the patient was receiving; whether that care was suitable; whether it corresponded with statutory obligations; how professional judgment was exercised; and the adequacy of the care plan and whether properly monitored.

Later this month, NHS chairman are due to report back to the Department of Health to describe improvements in supervision and treatment after being ordered to do so by Gerald Malone, Minister of State for Health, on 24 August.

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DAILY POEM

Premonition

By Zofia Ilinka

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November
rain – storm –
the mountains darken
bracken darker than amber
gold under bracken

rain over Wales
November
wild water
cruel earth
gorse flower paler than amber
silver under gorse

mist over Wales
November
the ghosts of sleep
ghost-weather
beather sodden and sombre
famine under heather.

Zofia Ilinka, who died earlier this week, was born into a landed family in 1921 in Mantuski, in present-day Belorussia, but what was then Poland. Her family fled their home in front of the Soviet tanks in 1939 and she came to Britain as a refugee, settling in Cornwall where she was to live for the rest of her life. Two poetry collections had been published in Poland. Here, she took a degree in English at Reading University and began to write in English, becoming, as she described herself, a "linguistic bigamist" and writing verse plays for Radio 3 as well as poetry. Her collected poems were published in 1992 as *Horoscope of the Moon* (recently re-issued by Tabb House, 7 Church Street, Padstow, Cornwall PL28 8BG), to high praise – D.M. Thomas remarking that she married the "mystical imagination of Slav and Celt".

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Pre-Budget campaign: Shadow Chancellor outlines Labour tax-efficiency proposals to encourage people to plan for old age



Taxing time: Gordon Brown at the launch of Labour's document outlining its tax-efficient savings scheme yesterday Photograph: Edward Webb

Brown pledges tax relief to help long-term savers

PATRICIA WYNN DAVIES
Political Correspondent

A future Labour government would introduce a new tax-efficient long-term savings scheme to encourage people to plan for their needs in old age, Gordon Brown, the shadow Chancellor, pledged yesterday.

The outline proposal, on which Labour will consult, will raise expectations of the party's willingness to tackle welfare reform in a way that contemplates people making more provision for themselves in retirement and old age.

Mr Brown said in a document prepared for a breakfast with business leaders: "I am prepared to consider extending the principle of Tessa and PEPs by introducing a new Individual Savings Account to promote long-term saving, particularly for old age as well as for other needs in the long-term."

"Tax relief would be geared to encouraging savers to invest in the long-term, with relief becoming available after a period of years."

Mr Brown said Britain would

never raise levels of investment if savings were not encouraged.

After underlining his commitment to Tessa and PEPs, Mr Brown said: "We wish to find new ways of making saving more long-term, and linking the need for savings for investment to the need for people to save for their retirement."

In the first of a three-stage pre-Budget campaign, Mr Brown said Britain had been 13th in the world prosperity league in 1979, but after 16 years of Conservative government had slumped to 18th place, and was bottom of the league among G7 countries for investment. "The real issue for this Budget is not the Tory 1p or 2p down, but by how much we can end the chronic under-investment in our economy."

He called on the Chancellor, Kenneth Clarke, to double for 12 months the first-year tax allowance for new investment from 25 to 50 per cent.

Mr Brown refused to be drawn on whether he believed, like members of the Cabinet, that public spending should not account

for more than 40 per cent of gross domestic product.

Yesterday's document dismisses the Government's private finance initiative as a failure and pledges a "new partnership for renewal... we will set up a new taskforce headed by the Chancellor which would prioritise projects. We are prepared to cash-limit our projects and then invite private tenders. We will work with the private sector to deal with the problems of risk allocation."

Setting out Labour's other industry policy priorities, Mr Brown said the party favoured the CBI's proposal for two-tier capital gains tax to encourage shareholders to hold assets over the longer term. Labour would also pledge measures to "help bridge the long-term funding gap for small business by empowering new regional development agencies to work with venture capital funds."

He said that expanding small businesses should benefit from a higher VAT threshold if they take on extra employees - paid for by the windfall levy on the utilities.

Lords debate: Move to head off more stringent proposals by Nolan

Peers agree to set up register of interests

The House of Lords last night acted to bolster its principle that peers should not "sell parliamentary influence" and agreed to set up a register of relevant interests.

Encapsulating the feeling in all parts of the House, Lord Jenkins of Hillhead said: "The place for practising paid advocacy is the court, not the legislature. Here members should speak according to their views and not according to their fees."

Though no leading peers spoke against a register, it was acknowledged that not all are happy with the idea and would prefer to rely solely on members' honour not to abuse their privileges.

Lord Jenkins, leader of the Liberal Democrat peers, however, observed that honour ought to be like conscience - a still small voice. "If it is talked about too much it becomes at once pretentious and suspect."

Pressing for a register to be in place more or less from the beginning of the new parliamentary session on 15 November, he added: "If there are

will head off any more stringent proposal when Lord Nolan and his committee on standards in public life turn their gaze on the Upper House next year. Lord Nolan attended the debate but did not speak. Lord Griffiths said there was nothing to prevent a peer being a parliamentary adviser, giving helpful advice on the workings of the House and the best approach if it was considering something of interest to the client.

"But he ought not, if he accepts such a position, play any part in furthering the interests of that organisation. If he does, he will be perceived by the public outside as selling his voice and, worse still, selling his vote," Lord Cranborne waxed fondly about the House as a place with few rules which relied on courtesy. His instinct was to keep the simplicity of the status quo, where peers were expected to declare interests before speaking.

"However, in the present climate, this is simply no longer a sustainable option," he said, urging peers to accept the Griffiths recommendations.

"It is clear that Members of both Houses will increasingly be expected to demonstrate to the public at large that they are not abusing their positions."

Lord Richard, Leader of the Labour peers, said the public perception of politicians, particularly of MPs, seemed to be at an almost all-time low and he did not think it would be enhanced by Tories rejecting Lord Nolan's recommendation of disclosure of outside earnings.

Former Commons Speaker Lord Weatherill said the introduction of a register was regrettable but essential. However he did not detect the same cynicism about the Lords as there was about the Commons.

"My suspicion is that we are held in quite high esteem. This may be because we are not paid, but come to Parliament for motives of service," Lord Weatherill said. "We are able to speak from personal experience and are perceived by members of the public to be more in touch with the real world than the professional politicians in the Commons."

Lord Jenkins, airing his own distaste for politics becoming "a tight little occupation," said he believed MPs should be engaged in reputable outside activities. "The major danger is that of a further professionalisation of politics," he said. The only skills learnt by those who climbed the ladder from research assistant tended to be political manipulation. "The products of the new system feel entitled to a standard of living higher than a parliamentary salary is ever likely to provide. But they have precious little to sell, except for their knowledge of the processes of Parliament."

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Inside Parliament

Stephen Goodwin

lords who regard this as rather nasty medicine to swallow, on the whole nasty medicine is best swallowed fast."

Peers will have to register arrangements, such as consultations, where they are paid or rewarded for providing parliamentary advice or services, and any financial interest in a business involved in parliamentary lobbying. Any failure to register would be considered by a sub-committee of the Lords Committee of Privileges. There are no powers to suspend or expel peers but it is reckoned a public report to the House would be shame enough.

Since it is essentially an "amateur" chamber - backbench peers are paid only an attendance allowance - there will be no requirement to list general sources of income. Nor would, say, a professional engineer be barred from speaking on engineering matters.

As Viscount Cranborne, Leader of the House, put it: "It would be absurd if the only members able to speak on a particular subject were those without any involvement in it."

Many life peers are created precisely because of the expertise they bring to the House. The register was the central recommendation of a sub-committee under Lord Griffiths, a retired law lord. Peers hope it

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Fertility clinic watchdog faces privatisation

COLIN BROWN
Chief Political Correspondent

The Government has ordered a review of the public watchdog for embryology clinics and is considering the possibility of contracting out the authority's role. It will also look at the scope for charging more fees for its work.

The Human Fertilisation and Embryology Authority believes the importance of its role was undermined by the row yesterday over the "sale" of human eggs.

The authority condemned the practice but found that it was unable to intervene in private arrangements between donors and patients, under which young women have been paid £1,000 for their eggs.

The authority is looking at the possibility of using its powers to bar clinics from conducting the operations for transferring the eggs from donors to patients where a sale is involved.

The threat to raise more fees is likely to dismay couples, who could face higher costs passed on to them by clinics.

The review has alarmed anti-abortion MPs, including David Alton, the Liberal Democrat MP for Mossley Hill, who obtained the terms of reference for the review team from the House of Commons library.

The authority, chaired by Ruth Deech, principal of St Anne's College, Oxford, is strongly opposed to privatisation. The authority is planning to warn the review team, set up by the Department of Health, that privatisation would be a threat to its legal responsibility of confidentiality to its patients.

"It would be difficult to envisage privatisation, not least because we hold so much information that by law must be kept confidential."

"By law, we cannot disclose to anyone who is not a member of the authority. There is an inherent difficulty with privatisation. We maintain a register of information about patients and donors, I would see considerable difficulty in contracting that out. It is why we are maintaining the register ourselves," said a

spokesman for the authority.

The terms of reference for the review, carried out every five years, question whether the authority is needed, and whether the public body is the "best vehicle for meeting the Government's objectives in the issues of human fertilisation and embryology."

It will question whether the authority is meeting its aims and objectives, and its targets; the efficiency, effectiveness and economy of its operations, including its financial and management systems; the scope for increasing the proportion of its expenditure that is recovered from fees; the prospects for further simplifying and streamlining its procedures in keeping with the Government's deregulation initiatives; and whether there is scope for contracting out, privatisation or transferring all or part of its function to another body.

The authority was set up 10 years ago after the report by the ethical committee chaired by Baroness Warnock.

Ulster talks: Home Secretary under pressure to move 26 IRA prisoners



Making peace: John Bruton, the Irish leader, says releasing prisoners will help truce

Dublin seeks prison transfers to aid peace

COLIN BROWN
Chief Political Correspondent

The Irish government has asked the Home Secretary to transfer 26 IRA prisoners from British jails to the Republic as part of a new attempt to kick-start the peace process.

Michael Howard is believed to be reluctant to agree to a general transfer of prisoners - many of whom are serving long sentences for bomb offences in Britain - into Irish custody, if there is any likelihood that they will be given early release.

Northern Ireland ministers privately believe Mr Howard would face fewer problems at home if he allowed the prisoners to be transferred, as they present the greatest risk of a break-out. The escape of IRA prisoners from Whitehall prison contributed to the sacking of Derek Lewis as head of the prison service.

However, Mr Howard shows no sign of following the lead taken by Sir Patrick Mayhew, the Northern Ireland Secretary, this week with emergency legislation to allow the early release of IRA and loyalist terrorist prisoners in Ulster prisons.

Legislation came into force yesterday in Ireland allowing the transfer of prisoners directly from Britain to the Republic,

but officials said it required the agreement of the two governments, and the prisoners involved. The prisoners' families are keen for the transfers to go ahead so they are to make more frequent visits, and they are also hopeful that the Irish government will continue with the early release of prisoners started earlier this year.

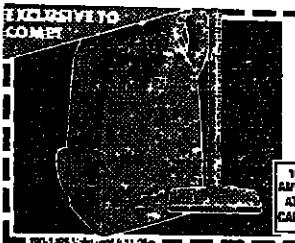
John Bruton, the Irish Prime Minister, believes the early release of prisoners is an important confidence-building part of the peace process.

The IRA has given priority to the release of its prisoners as one of the key conditions for ensuring lasting peace in Northern Ireland, but Mr Howard remains concerned that the threat of a return to violence will continue until arms are surrendered by the IRA.

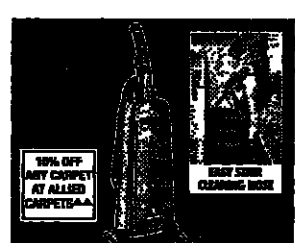
In a separate move, the Home Secretary is facing cross-party pressure for two republican prisoners, Patrick Kelly and Michael O'Brien - one of whom is suffering from cancer - to be transferred to prisons either in Northern Ireland or the Republic "in view of their compelling compassionate circumstances". A Commons motion demanding the transfers has been signed by senior Tory backbenchers Peter Temple-Morris and Peter Bottomley.

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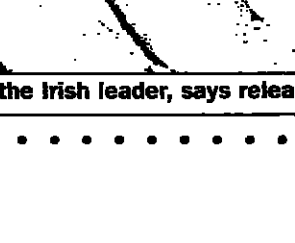
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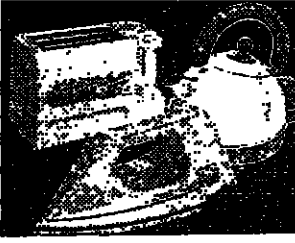
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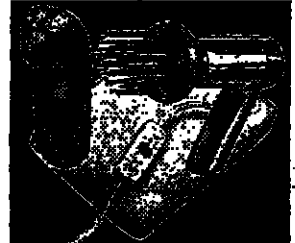
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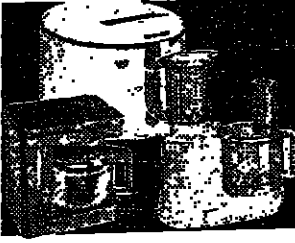
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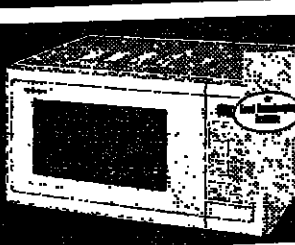


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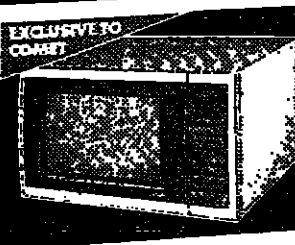
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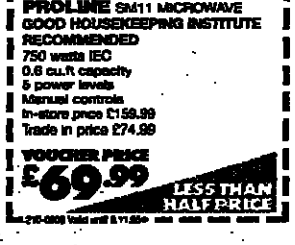
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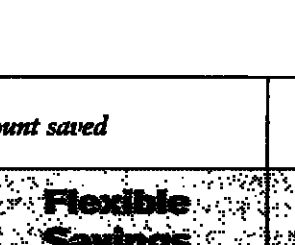
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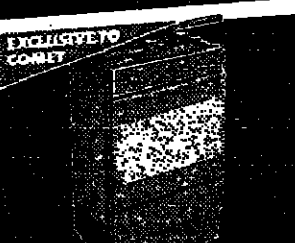


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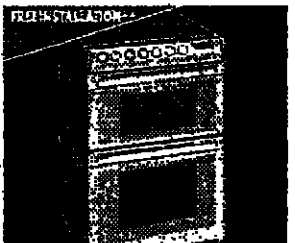


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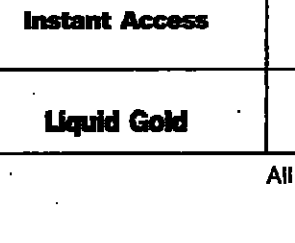
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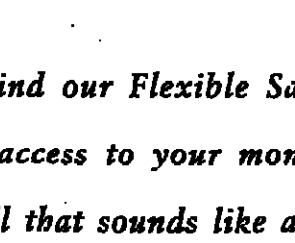
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The sale has led environmentalists and politicians to call for a change in Scottish land laws. They claim absentee landlords damage the environment and force tenants off the land.

Financing the arts: Government auditor stresses need for procedures at grant-giving body to be beyond reproach



National heritage: The Labour MP Tam Dalvell listening to Lord Rothschild's address yesterday at the Victoria and Albert museum, recipient of a £3m memorial fund grant

Photograph: Geraint Lewis

Sacking of heritage fund chief explained

DAVID LISTER
Arts Correspondent

A blow-by-blow account of the sacking of the director of the National Heritage Memorial Fund following the discovery that money had been awarded to a software company run by her boyfriend was published yesterday at the insistence of the National Audit Office

Georgina Naylor was removed from the directorship of the grant-giving body during the summer after it was found that the money had been awarded without her declaring a possible conflict of interest.

Yesterday, the government comptroller and auditor general pointed out in a two-page account of the incident in the memorial fund's annual report the need for all officials dealing with giving out lottery money, as an arm of the fund now does, to stick scrupulously to government rules.

Lord Rothschild, chairman of the memorial fund, said: "I would just like to reaffirm what was said at the time; that at no point was there any question of dishonesty or lack of integrity on her part, and that the trustees and myself were satisfied there had been no risk to public funds."

"The parting with Ms Naylor was a very sad one for the memorial fund as she made a remarkable contribution to its progress."

The report of the comptroller and auditor general in the annual report is more severe. It says: "The trustees and director were well aware of the implications of becoming a lottery distributor -- During their au-

dit, the National Audit Office observed evidence of a conflict of interest in the letting of contracts to a company run by the partner of the former director of the fund, Ms Georgina Navler.

The report says there was no evidence of illegal or dishonest behaviour, but concludes: "The events at the fund have served to emphasise more generally how important it is that accounting officers are fully conversant with all aspects of their responsibilities and demonstrate a complete understanding and awareness of public sector accountabilities and responsibilities."

It adds that because of the **massively increased responsibilities** that being a lottery distributor involves, the salary level of the director's post is being significantly increased. The new director is Andrew Case, currently deputy director at the Treasury and the Budget and Public Finance Directorate.

Launching the annual report yesterday, Lord Rothschild said that the fund was now financially stretched. Government grant over the past year was £8.8m, and the fund had spent £10.4m, using income from its capital fund.

Lord Rothschild said: "We live in hope that the Government will restore our grant to the previous levels. In the meantime, we will have to be very selective when spending

The largest grant awarded over the last year was £3m to the Victoria and Albert Museum and the National Galleries of Scotland for the purchase of *The Three Graces*.

Colleagues check out 'Asdaspeak'

BARRIE CLEMENT
Labour Editor

Asda, the supermarket chain which yesterday introduced reduced Sunday pay rates for new staff, has encouraged some highly unusual methods of motivating staff and keeping customers happy.

The fastest check-out operators in many stores for instance wear yellow jerseys à la Tour de France. A powerful disincentive to a high work rate, according to some employees.

There is also the "golden mop" for the store with the cleanest lavatory in the region. And there is the "10ft rule". If a manager comes within that distance of a customer he or she must speak to them, according to the company's latest training video. Presumably it doesn't particularly matter what you say as long as it is suitably banal and unobtrusive.

There is also an argot called "Asdaspeak". Everyone at the

store's group is referred to as a "colleague", which has elicited comments that it is much like the way people were called "comrade" in the old communist regimes.

Asda has "colleague circles" where people from different departments liaise. There are "listening circles" where managers consult workers and "huddles" where supervisors plan the day.

Over-enthusiastic managers at the Wigan and Stockport stores decided recently that customers should be entertained by staff while waiting at check-outs. Juggling and hoola-hooping were among the suggestions, but "colleagues" objected and the idea was drowned.

The GMB general union believes Asda's public relations department is "bonkers". According to one PR staff member, the decision to reduce rates for staff opting to work for the first time on Sundays was "enormously popular".



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Russian liberal on court to lift

...and the

Solidarity gets back into line behind Walesa

ADRIAN BRIDGE
Gdansk

"Gdansk shipyard supports Lech Walesa" proclaims a large banner above the famous gates over which a rebellious electrician once leapt to spark the strike that led to the formation of the Solidarity trade union. Smaller placards pinned to the gate reinforce the point. "Walesa is the best helmsman in difficult times," reads one. "He is brave and valiant... He overturned the system and removed the Soviet army," states another. "Lech Walesa has restored Polish honour."

Given the location – the former-named Lenin Shipyard which was the focal point of Solidarity's opposition to the Communist regime – the support for Mr Walesa in Sunday's presidential election is hardly surprising.

He worked at the shipyard for many years. All the money he received as Nobel Peace Prize-winner in 1983 went towards the construction of a new hospital in the shipyard grounds. And despite the attractions of a presidential palace in Warsaw, Mr Walesa's wife, Danuta, and family have always maintained their base in Gdansk.

"We are proud that a man from here is now our head of state," said Stanislaw Birna, a night watchman at the shipyard gate who participated in the 1980 strikes. "And we have to make sure he stays in office. Only he can keep the red devils [former Communists] out!" Mr Walesa's main opponent in Sunday's poll is Aleksander Kwasniewski, the leader of the Democratic Left Alliance (SLD), the successor to the Communist Party which was swept from power in the landmark elections of June 1989 but which has since re-emerged to be the dominant force in government.

Neither of the two men is likely to win the more than 50 per cent required for outright victory and they will therefore have to face each other in a run-off poll two weeks later.

For many the battle is the final showdown between the forces of the old regime, as represented by Mr Kwasniewski,

and those of Solidarity, best exemplified in the form of Mr Walesa.

And despite the many criticisms that have been levelled against Mr Walesa during his first five-year term – that he is uneducated, impulsive and blatantly power-hungry – he is widely tipped to clinch it.

It is a remarkable turnaround for a man who this time last year had slumped to just 5 per cent support in the opinion polls and who was being openly attacked by some of his closest former allies as a threat to democracy.

Many of those attacking Mr Walesa had been with him in 1989 when, with a membership of 10 million, Solidarity was less a trade union than a massive civil movement pressing for the total transformation of the country.

Most of those in the intellectual wing of Solidarity turned against Mr Walesa as early as 1990 as the movement began to split and its membership dwindled.

But, with the obvious exception of the workers at the Gdansk shipyard, even his former colleagues in the trade union itself had turned distinctly cool towards their old leader.

"Many felt that, like all the others who had joined the Solidarity bandwagon, Mr Walesa quickly turned his back on the workers once in power," said Jacek Rybicki, Solidarity's vice-president. "The union felt it had been used as a vehicle for political ambitions."

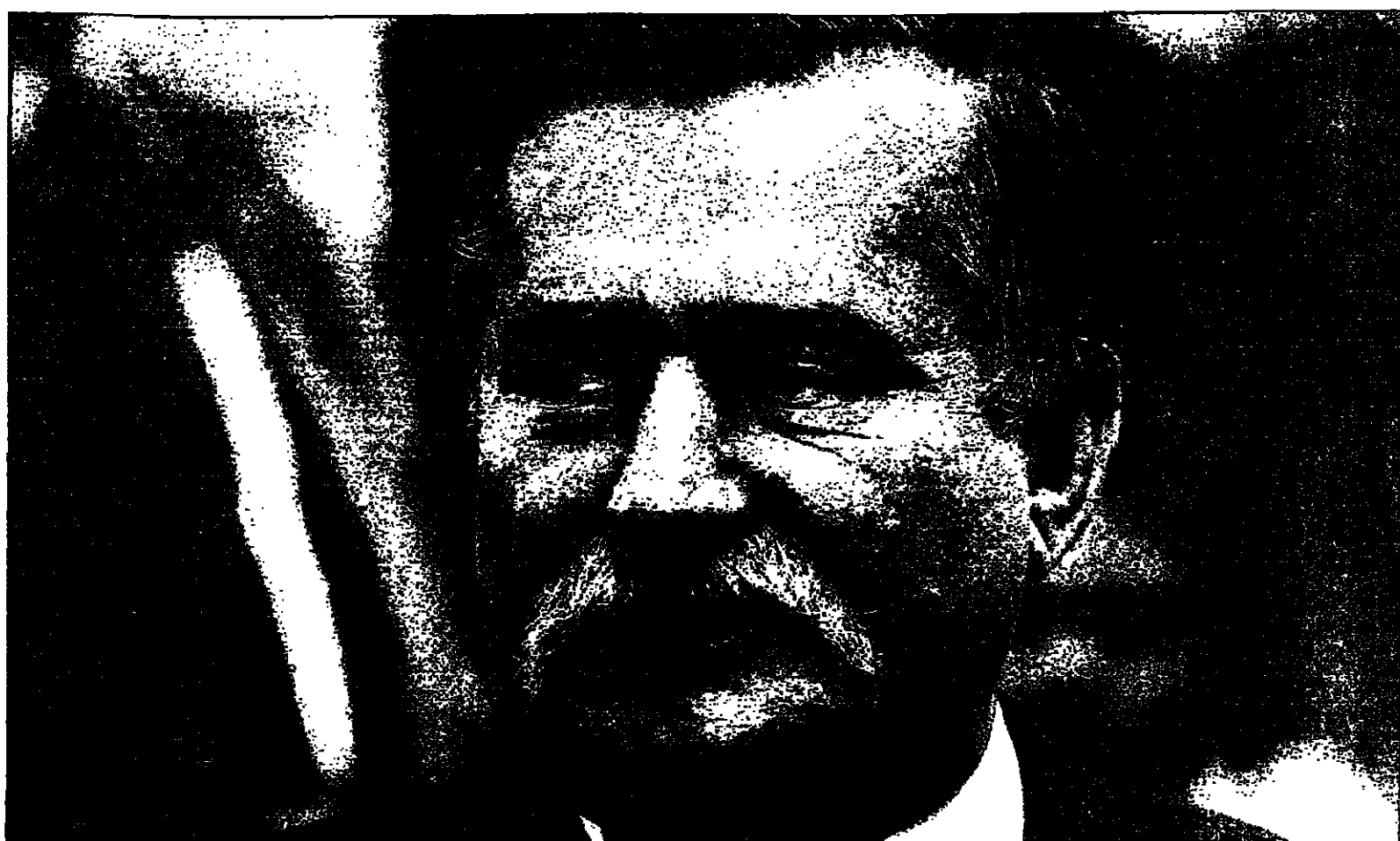
In June, at Solidarity's annual congress, there was an extraordinary scene as Mr Walesa, still trailing badly in the polls, went back to his old power base with cap in hand to ask for support in the coming presidential poll.

"Powerful Communism is fighting against me, and so are others," Mr Walesa declared. "So for the second time I am asking you to come with me."

At first the union, which now boasts a membership of 1.8 million but which still sees itself as an instrument for wider change, declined the offer, saying only that it was waiting to see who would emerge as the strongest candidate on the

Right to take on Mr Kwasniewski. Only last month as it became clear that Mr Walesa had pulled away from the rest of the anti-Communist camp, did the union finally come out in favour of Mr Walesa.

"I am glad we are now again supporting Mr Walesa," said Mr Birna, one of the 7,000 (out of an original 17,000) remaining workers at the Gdansk shipyard. "But it is hard not to feel some disappointment this time around. Fifteen years ago, when we were fighting for freedom, we were really together, there was real solidarity. Now we have freedom, it comes down to a fight about power. In the end, everybody wants to be in charge."



Eyes on power: Lech Walesa has high hopes of a second term after making a remarkable political recovery

Photograph: Brian Harris

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Optimistic: Grigory Yavlinskiy talking to reporters yesterday

Russian liberal calls on court to lift ban

HELEN WOMACK
Moscow

Russia's most popular reformist politician, Grigory Yavlinskiy, appealed to the Supreme Court yesterday to overrule election officials who have disqualified his Yabloko grouping from taking part in December's race for parliament.

Speaking outside the court, Mr Yavlinskiy denounced the ruling of the Central Electoral Commission as "illegitimate". Tass news agency said the court was expected to consider his complaint tomorrow.

Nikolai Ryabov, chairman of the commission, caused a storm at the weekend by saying that just because Mr Yavlinskiy's grouping was represented in the parliament, and likely to do well in the coming poll, did not mean it could ignore election procedure. He barred Yabloko on the grounds that it had dropped six candidates without the commission's agreement.

Mr Yavlinskiy, who has presidential ambitions, cried foul, and was supported not only by reformers but by some of his political enemies, including the nationalist retired army general, Alexander Lebed.

some other parties, including the Derzhava (Great Power) movement of the former Russian vice-president, Alexander Rutskoi.

The row was probably discussed again yesterday when doctors allowed Mr Yavlinskiy to have his first work-related meeting since he went into the Central Clinic last Thursday. Tass said only that he was visited by his senior aide, Viktor Ilyushin.

Since the outcry over Mr Yavlinskiy's disqualification, election officials have said they will reconsider, if the Supreme Court so orders. The chances are the crisis will be resolved, so this seems to be a case of bureaucratic pedantry rather than a deliberate conspiracy.

Opinion polls suggest the Communists and General Lebed's party, the Congress of Russian Communities, may top the poll. But of the available free-marketisers, Mr Yavlinskiy seems to be the most popular, better loved than Yegor Gaidar, who introduced painful economic reforms in 1992.

Mr Yavlinskiy, 43, is well known in the West as he is one of the few Russian politicians who speaks good English, and is in demand with television stations. In Russia he is famous as the author of the Gorbachev-era "500-Days" plan, a scheme to modernise the economy in 500 days which was never tried.

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Deutschmark über alles
'is SPD's new slogan'IMRE KARACS
Bonn

The three heavyweights wrestling for control of the Social Democratic Party joined forces at last yesterday to attack Europe's gestating common currency. Under what critics say is the slogan "Deutschmark über alles", the SPD leadership has launched a populist campaign against the government's goal of monetary union by 1999.

The first hints of the spectacular U-turn came earlier this week from Rudolf Scharping, the SPD's leader, and Gerhard Schröder, the party's aspiring leader. The third leadership contender, Oskar Lafontaine, joined the chorus yesterday, calling for an "improvement" in those aspects of the Maastricht treaty which deal with monetary union.

Faced with a gradual erosion of their electoral support, the Social Democrats hope to take on Helmut Kohl's government

on the issue which seems to worry Germans most. A poll in the business newspaper *Handelsblatt* earlier this week showed that the proportion of voters favouring the abolition of the Deutschmark has fallen from 34 per cent in June to 27 per cent in September, with a steady 66 per cent opposing it.

Their confidence cannot have been raised by the negative comments oozing out of the SPD headquarters. Mr Scharping led the attack by questioning the wisdom of surrendering Germany's national symbol for the sake of "just one idea". Mr Schröder was even ruder, describing the Euro-currency as "Monopoly money".

Yesterday Mr Scharping took the furore in his stride. "A stable currency has absolute priority over any timetable," he declared. "Whether a common currency comes in 1999 or a bit later is not decisive. It is more important that economic stability is guaranteed. Only then

can we give up our D-mark."

The voters are fully aware that only Germany and Luxembourg can boast a stable currency, as defined by the Maastricht criteria. Members of Mr Kohl's government, firmly committed to monetary union in 1999, have rubbished the pretensions of the likes of Italy and Belgium. That leaves France the only plausible suitor, bringing on present trends a dowry that would tax even the well-heeled Bundesbank.

But critics charge that the SPD's sudden conversion owes less to economic considerations than to the party's struggle for survival. "Bar-room politics" the leader writers cried in horror, while Mr Kohl's office accused the SPD leadership of "trying to appeal to base instincts". Mr Schröder admitted as much when he boasted that the SPD had "at last found a national issue again".

For over a year now, the Social Democrats have been en-

gaged in internal rows over economic policy, desirable coalition partners and where a left-wing party should be going in the 1990s. Under Mr Scharping, they have lost a string of important regional elections and are facing a stormy party congress in two weeks' time.

Langishing 15 points behind Mr Kohl's Christian Democrats in the polls, the Social Democrats have seized on the issue that will dominate the general elections in three years' time. As Germans go to the polls on the eve of monetary union, the mark in their pocket will weigh heavily on their decision.

That will not only put pressure on Mr Kohl to slow down, but it will also sow seeds of doubt among Germany's European partners. As Klaus Kinkel, the Foreign Minister, warned: "Anyone who questions [monetary union] purely for cheap populist reasons puts the whole integration process in doubt."



Pomp and circumstance: Hungary's Prime Minister, Gyula Horn, inspecting a Guard of Honour in Downing Street yesterday before talks with John Major at the start of his official visit to Britain. Photograph: Russell Boyce/Reuters

Sour notes at
La Scala put
first night at riskANDREW GUMBEL
Rome

La Scala has seen plenty of tantrums and industrial disputes, but none to rival this. With workers and management at each others' throats over every conceivable issue, from next year's pay round to future funding, the famous Milan opera house is being forced to contemplate the unthinkable: cancelling the opening night of its new season for the first time in its 200-year history.

The bad blood has been flowing abundantly in La Scala's rococo corridors in recent weeks, and four performances in a row of *Lucia di Lammermoor* have already bitten the dust.

The workers have passed a motion urging the dismissal of the general manager, Carlo Fontana, and, to their surprise, have found support from leading politicians, including the mayors of Milan and Venice.

The musical director, Riccardo Muti, has denounced the strikes as a mark of shame on the whole country and has accused the workers of plotting to destroy one of the cornerstones of Italian culture.

The atmosphere has grown so sour that artists and local politicians have begged the Prime Minister to intervene.

The cancellation of the opening night performance of Mozart's *Magic Flute* on 7 December would be a calamity not only for La Scala but for the Italian cultural world as a whole. The occasion is the high point of the Milan social calendar, attended by film stars, media celebrities and top industrialists.

It also falls on the feast day of Milan's patron, St Ambrose, a man remembered for patching up a fourth-century schism in the Church. It may take a prayer or two to the saint to avert La Scala's own schism.

The root of the problem is that the Milan opera house, and indeed opera houses throughout the country, are broke.

In 1993, the last year for which full figures are available, the State handed out 445bn lire (£180m) in subsidies to the 13 main opera houses but got back only 55.1bn lire (£22.3m) in box-office receipts. La Scala receives more than 10 per cent of the whole cake.

In a country desperate to cut its enormous public debt, this is no longer a tenable situation. Mr Fontana has tried to keep wage increases to a minimum, and has tried to go back on a long-standing commitment to boost La Scala's 700-plus workforce with another 108 members. He has also suggested that private sponsorship ought to replace at least some of the state funding.

These might seem reasonable proposals, but opera is not a reasonable art form in Italy. The show has to be lavish and wasteful with money, or else Italians will not recognise it as opera.

Budgets soar sky high for operas that may only be performed a handful of times; staff levels are extraordinarily high; costumes and sets are always made from scratch, and old productions, even acclaimed ones, are never revived.

The dispute is a struggle for the very soul of Italian opera. The unions argue that privatisation would force all but the most prestigious houses to scale back their costs so drastically that some might have to close. The veteran ballet dancer, Carla Fracci, argues that all would be fine if the star singers and dancers did not demand such exorbitant fees.

But with Italy battling to slash trillions of lire off public spending before its debts run out of control, perhaps the hard truth is that opera in its traditional form is a luxury the country can no longer afford.

Nato hopefuls head
to US for quizzing

ANDREW MARSHALL

The CVs are neatly typed out, the interview suits freshly dry-cleaned and the shoes polished. The two main candidates to become Nato Secretary-General are off to the United States today to be interviewed by Warren Christopher, the US Secretary of State.

Mr Christopher, representing the largest shareholder in the alliance, will quiz Uffe Ellemann-Jensen, former Danish foreign minister, and Ruud Lubbers, the former Dutch prime minister.

Mr Ellemann-Jensen, a witty, energetic character, put himself up as a candidate at the last moment when Nato was last searching for a secretary-general, but was pipped to the post by Willy Claes.

Given the subsequent history of Mr Claes — he resigned last month over allegations of bribes paid to a helicopter company when he was Belgian economy minister in 1988 — the alliance countries might well wish that they had taken the Danish option.

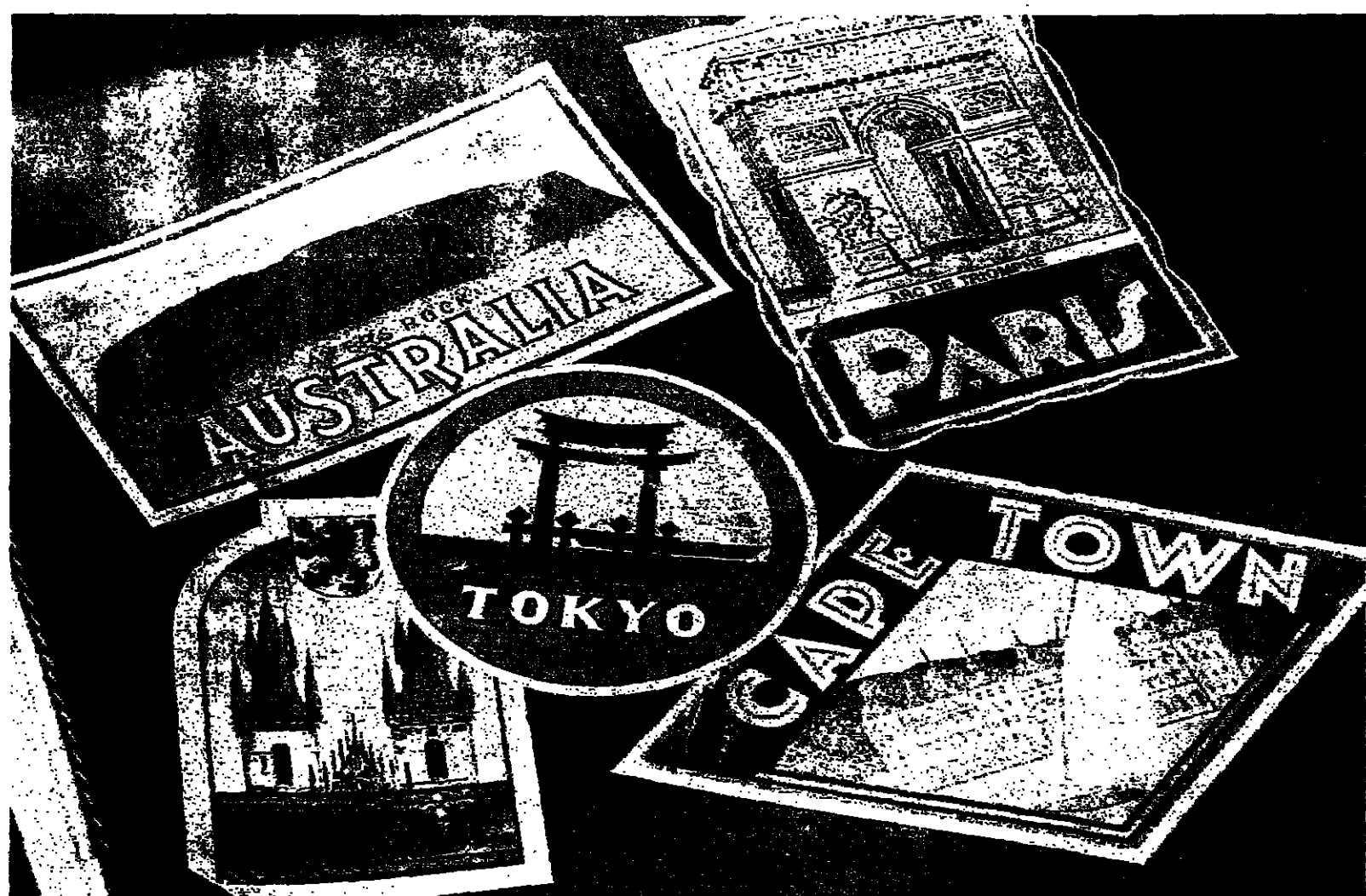
However, this time it seems that they may go Dutch. Poul Nyrup Rasmussen, the Danish Prime Minister, said that Mr Ellemann-Jensen would remove himself from the contest if Mr Lubbers seemed to be the

preferred candidate. "If there is unity for a candidate other than [Ellemann-Jensen], the Danish candidate will not stand in the way," Mr Rasmussen said yesterday.

Mr Lubbers already has the backing of Germany, France, Spain, Italy and several other small European Union states.

The US was keeping silent about the selection process yesterday.

However, given the Willy Claes fiasco, Washington might be well advised to investigate the recent political history of the candidates and ask gently about any recent purchases of helicopters.

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Bosnia peace talks: Few promising signs as US negotiator tables 10-section agreement to the parties at opening session



Eyeing the future: Bosnia's Prime Minister, Haris Silajdzic, and the US negotiator, Richard Holbrooke, awaiting the arrival of the Bosnian President's plane at the Wright-Patterson Air Force base before the start of the summit

Photograph: AFP

West presents draft plan

RUPERT CORNWELL
Dayton, Ohio

The Bosnian peace talks moved swiftly to business last night as the United States and its Contact Group partners presented the presidents of Croatia, Bosnia and Serbia with a comprehensive draft peace agreement designed to end the Balkan war.

Immediately after the plenary opening session, chaired by Warren Christopher, the Secretary of State, the chief US negotiator, Richard Holbrooke, was due to table the plan, divided into 10 sections, including a framework constitutional agreement, a draft division of territory and arrangements for the deployment of a Nato force should peace be achieved.

The talks probably represented "the last, best, chance for peace", Mr Christopher said, as he flew into the huge, tightly guarded Wright-Patterson Air Force base, where the talks are being held. "I hope Dayton, Ohio, will be remembered as the place where the killing was finally brought to a halt."

Despite outward optimism on all sides, the first signs were not promising. "They're talking peace but don't show the slightest readiness for compromise," Mr Holbrooke said, after greeting Bosnia's leader, Alija Izetbegovic, the last of the three leaders to arrive.

Compromise, however, will be essential to resolve a host of disagreements, any one of which could wreck the negotiations. They range from the

details of the envisaged 51-49 territorial split of Bosnia between the Croat-Muslim federation and the Bosnian Serbs, to constitutional questions of how to create a unitary state with two "entities", which is not a fig-leaf for partition.

According to Mr Holbrooke, "80 to 90 per cent" of the map has been settled, but not the most awkward areas, including Sarajevo and access to Gorazde. Of the constitutional problems, he predicted that elections and the voting rights of refugees could be hardest to resolve.

Formal meetings of the three delegations will be held in a meeting room at the base's Hope Hotel, at a table surrounded by simple beige chairs, with seating for lesser officials behind them. After the opening

ceremony, the room is not likely to be used, at least in the early stages of discussions.

Barring quick breakthroughs, the "proximity talks" will be moved forward by Mr Holbrooke and other officials of the Contact Group, shuttling between the three delegations to prod them towards agreement. About 200 diplomats and officials will be in permanent residence at the Visiting Officers' Quarters.

When sufficient common ground has been achieved, the Croats, Bosnians and Serbs will meet face to face. In the event of important interim agreements, the press may be summoned back to Dayton. Otherwise, US officials intend a virtual news blackout. Whether the three delegations

will keep their promise not to talk to the press remains to be seen. But if an agreement can be reached, a formal treaty will be signed in Paris shortly afterwards.

Although all parties have hardened their positions on the eve of the talks, diplomats believe a deal can be struck, perhaps within a month. This could see a Nato peace-keeping force, including 20,000 US troops, on the ground in Bosnia by the end of the year.

"This is the only way to do it," one Contact Group diplomat said as he arrived, arguing that no side had anything to gain from a resumption of fighting. "I am an optimist. I believe these talks will succeed," President Slobodan Milosevic of Serbia said after he arrived.

Is there any real hope of peace? More than ever before, but the mediators must reconcile the impossible: the government's demand for a united, sovereign Bosnia and the Serbs' desire for an independent statelet that might ultimately join Serbia.

The three parties - Bosnia, Serbia and Croatia - have agreed on the basic principles for a post-war settlement, with two entities (one Serb, one non-Serb) in Bosnia, free elections and respect for human rights. But the broad brushstrokes are meaningless until the leaders paint in the details. The defeat of Croatia's Serbs and recent government gains in Bosnia have altered the balance of power. The Bosnian Serbs risk losing all if they do not make a deal, but risk losing their statelet if they do.

Who is attending the talks and who is not?

These are to be "proximity" talks: three Balkan delegations in separate rooms, with negotiations scuttling about conducting corridor diplomacy. Bosnia is represented by President Alija Izetbegovic and other officials. The Serb delegation, which represents also the Srpska Republic in Bosnia, is led by Serbia's President, Slobodan Milosevic, accompanied by members of the Bosnian Serb leadership but not the main civilian and military leaders, Radovan Karadzic and Ratko Mladic. The Croatian contingent is led by President Franjo Tudjman who has said he will not stay long but will delegate decision-making powers to other Contact officials.

The world is represented by Richard Holbrooke, the US Assistant Secretary of State who has chaired the parties to the table. He is joined by delegates from the other four Contact Group nations, Britain,

France, Germany and Russia, and by Carl Bildt, the European Union's mediator.

Why Ohio?

Washington chose Wright-Patterson Air Force Base in Dayton, Ohio, as a suitable location from which to exclude the press, but one which had comfortable accommodation for the three delegations. The mediators say the talks could last for a month. The Balkan participants are suggesting a shorter stay.

What do the parties want?

The Srpska Republic wants recognition of its statehood and the right to confederal links with Serbia, the division of Sarajevo, access to the Adriatic Sea, a widening of the corridor in northern Bosnia to include the Croat-held Orasje pocket and the return of some land recently captured by the government. Serbia's main demand is the lifting of sanctions. The Bosnian government seeks a united Bosnia and an end to territorial encroachments by Belgrade and Zagreb, an end to the division of Sarajevo, a corridor to the government-held enclave of Gorazde, a ban on suspected war criminals standing in future elections, an end to the international arms embargo on Bosnia and control of the Serb-held town of Brcko. Croatia is mostly interested in re-taking Eastern Slavonia, a slice of rich farmland still held by Serb rebels. It also has an eye on large areas of western Bosnia, where the Bosnian Croats, with Zagreb's encouragement, are keen on union with Croatia.

What are the main difficulties? Many and varied, but falling into two basic categories: constitutional and territorial. First, how to share power among the two entities (the Muslim-Croat Fed-

eration and the Srpska Republic) and what kind of confederal links the entities should have with neighbouring states.

How is the ceasefire holding? Very well, according to the UN. All was quiet along the 600-mile confrontation line yesterday, and the number of ceasefire violations has decreased.

What happens if there is a peace deal?

Nato will swing into action within days, according to the US, which plans to send about 20,000 soldiers to Bosnia. The British and French would deploy fresh troops and order those in blue UN berets to switch. The Russians (perceived as friendly to Serbs) and Islamic nations (ditto to Sarajevo) would also send troops. Some in Bosnia will prepare to take revenge but most will give thanks and consider how best to rebuild their lives.

What if there is no deal?

The 60-day ceasefire brokered by Mr Holbrooke in October will collapse, but we are unlikely to see much new fighting over the winter. Instead, the Bosnian government will probably use the time to re-arm and re-train, ready for a spring offensive against the northern Serb stronghold of Banja Luka. The rebel Serbs will dig in, wondering nervously how much support they can expect from Belgrade. Many more civilians, on both sides, will redouble efforts to escape to another country. The Croatian army will storm Eastern Slavonia and probably capture it within a few days, forcing thousands more Serbs to flee. The UN will soldier on, ill-equipped for the impossible task of preserving a peace that does not exist. The show will move on to death or victory on the battle-field.

Talks may put Anywhere, USA on the map

Dayton, Ohio — Maybe Bosnia will succeed where Wilbur and Orville Wright, the Olympic hurdling champion, Ed Moses and ET Frazee, who invented pop-top cans, failed — and put this worthy corner of the Midwest on the map. But if the reaction of Slobodan Milosevic is anything to go by, don't bet on it.

"You're going to keep me locked up in Dayton, Ohio?" wondered the man who is variously President of Serbia, prime architect of four years of Balkan misery, and reputed connoisseur of Scotch whisky, when he learned his impending term of diplomatic house arrest would be at the Wright-Patterson Air Force Base here: "I am not a priest, you know."

Yesterday the confinement began. It will last, vow US officials, as long as it takes to produce a Bosnian peace agreement. But Mr Milosevic's fears are perhaps exaggerated. Like the other heads of delegations he will be lodged at the Visiting Officers' Quarters, where a couple of years ago an FBI force broke up a prostitution racket operating for the benefit of the out-of-town brass.

"Wright-Patt" is, in fact, a small city — sprawling over 8,000 acres, employing 22,000 people and boasting its own hospital, police and fire departments, a golf course and the Hope Hotel, which owes its name not to yearnings for peace but to the actor, Bob Hope. One way and another, Mr Milosevic should

have enough to occupy him. With 500 journalists briefly in town, the city fathers have been churning out promotional literature by the cartload. Its claims to lasting fame are legion. The Wright Brothers and powered flight are just the start. Believe the brochures and just about everything the human race needs for survival was invented here. Parking meters, flip-open drink cans, electric cash registers, ice-trays with an ejector mechanism.

In reality, though, this is just another middling city in the flatlands of the Mid-West, with the standard three or four skyscrapers downtown of Anywhere, USA and a population of 182,000 that represents a peaceful mingling of different

European immigrant stock — rather as Bosnia might have been before Mr Milosevic and his Bosnian Serb surrogates set about their business.

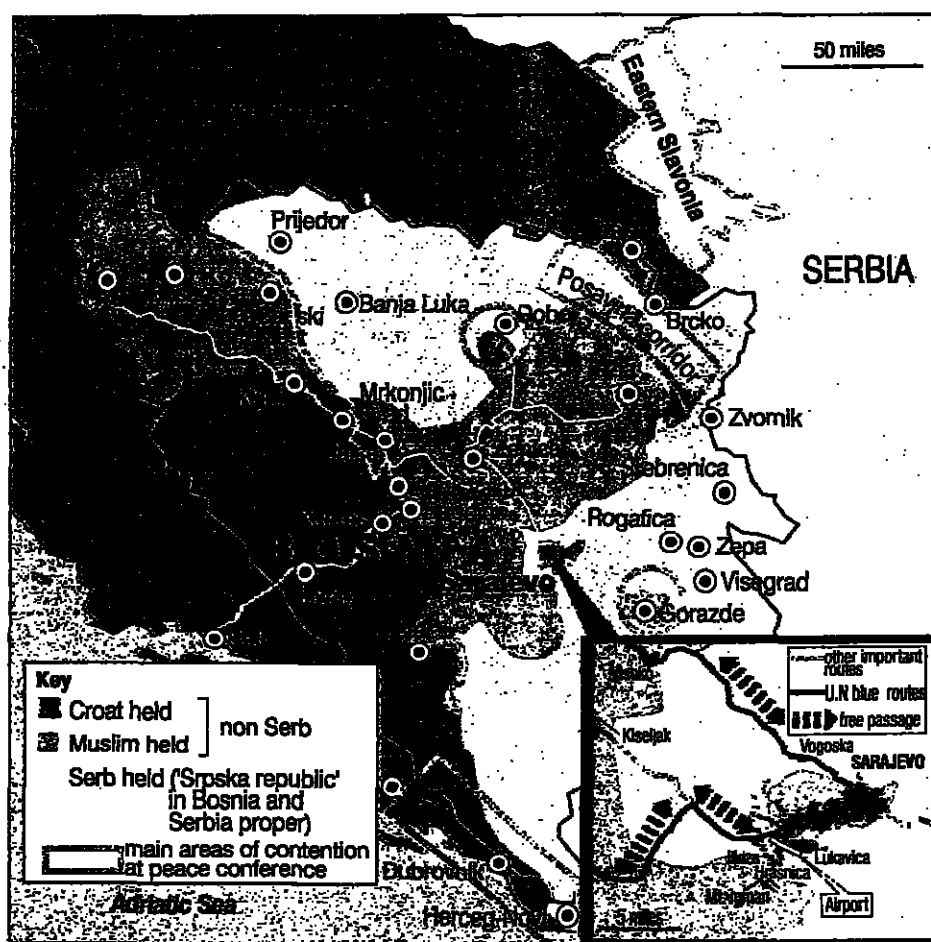
This week Dayton is doing its best to rise to the occasion. "Dayton Welcomes the World," reads a sign on the road into town from "Wright-Patt". Mia Bilanovic and Peter Todorovic, Bosnian-born students at the city's university, are minor celebrities, as is Elinor Sluzas, owner of the Amber Rose restaurant, specialising in dumplings and other solid east European fare. No matter she's Lithuanian — Europe is a long way from central Ohio.

But the Dayton Daily News has admonished readers to mug up on Bosnia — or else face hu-

miliation from reporters desperate for any scrap of information.

But next week, next month, whenever the talks end, Dayton will slip back into its comfortable obscurity, just as always. The Wrights may have lived and worked here, but their name is linked not to Ohio, but North Carolina, where the first flight in 1903 actually took place. Posterity will not call any Bosnian deal the Treaty of Dayton, but the Treaty of Paris where it will be formally signed. And the last time Dayton was in the news? In early 1994, local resident Michael Fay hit the headlines for getting himself caged in Singapore. Michael Who?

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Food for thought

IN 5

international

Corruption scandal spreads in South Korea

RICHARD LLOYD PARRY
Tokyo

When Roh Tae-woo, the former president of South Korea, appeared on television last week to apologise for hoarding 500bn won (£400m), he was less than convincing. In a display of contrite grief, Mr Roh gulped and wiped his eyes – suspiciously void of tears. He declared himself "ready to accept any judgement and any punishment, even stoning" – but nobody believed that last bit.

For Koreans, however, one part of his address did ring true. "Such political funds are wrong," conceded Mr Roh, "and this is not an excuse, but they are an age-old part of our political culture."

Yesterday, Mr Roh received proof that his grovelling had failed when he became the first former Korean president to be formally questioned by public prosecutors and 63 per cent of Koreans polled believe he should be arrested. But the scandal is spreading, and threatening to implicate politicians on all sides, including the current president, Kim Young-sam. "If this is not handled properly," Mr Kim said this week, "the ruling and opposition camps will come down together."

The scandal goes deep, and derives much of its destabilising potential from Mr Roh's unique status in Korean politics, as a former member of a military autocracy who successfully reinvented himself as president of a democratic republic. In 1987, the country was on the verge of crisis as opposition mounted towards Mr Roh's predecessor, the hated General Chun Doo-hwan. The tumult was silenced by Mr Roh, who demanded direct presidential elections and a restoration of civil liberties. General Chun conceded, the riots fizzled out, and Mr Roh won a decisive victory.

There was little doubt that Mr Roh's election owed a lot to

enormous illicit spending, but many in Korea were grateful for a gentler transition into democracy than that offered by Mr Roh's radical opponents. The economy prospered and in 1993 the baton of power was handed smoothly on, with the election of Kim Young-sam, a former civilian dissident who had joined Mr Roh's Democratic Liberal Party (DLP).

Mr Kim's election appeared to represent a decisive break with the military past and he quickly staked his reputation on rooting out what he calls "the Korean disease" of political corruption. Crucially, he made it illegal to keep falsely-named bank accounts, the means by which bribery funds, including that admitted to by Mr Roh, were concealed. He has also promised a rigorous and impartial investigation of his former mentor.

But it is loaded with risks. After humiliating losses in local elections, and a year of disasters like the collapse of a Seoul department store, the President's popularity is at an all time low. An battle with his political father, Mr Roh, could rob him of right-wing support and erase the DLP's small majority.

Even more threatening is the growing conviction that the President must have benefited from the illegal fund. In the months before stepping down, Mr Roh appears to have gone on a political spending spree, in an attempt to ingratiate himself with potential successors. The leading opposition leader, Kim Dae-jung, has admitted receiving 2bn won in 1992, and called on the President to own up to the same.

On this, Mr Kim has been vague, acknowledging that while his party may have accepted cash, he knew nothing of it. But the scandal seems to show that the clean hands president could not have got where he is without corruption, and could not have fought corruption without getting where he is.

Clan chieftainess: How a nurse from County Kerry became the ruler of wild mountain tribesmen

Irish eyes are still smiling in Baluchistan

TIM MCGIRK
Pishin, Baluchistan

This is the story of an Irish woman who opened an ice factory in the desert borderlands of Baluchistan – a place of whirlwinds, blood-red mountains and extreme heat – and who became a tribal leader.

The ice was nice for the Baluchis, who are staggered by temperatures in the summer of over 125°F. But what the Baluchis appreciated even more was the Irish woman's cool head and her honesty.

Epic feuds blow up like desert whirlwinds among the Baluch tribes, and their chieftains tend to be men with fearsome moustaches who swagger about with belts full of pistols and daggers. Yet with only the strength of her will, Jennifer Wren Musa was chosen as leader of the prominent Musa clan and was the first woman from the Baluch tribes to be sent to the National Assembly.

Mrs Musa, now 78, wears a traditional shawl kameez, with a dupatta shawl to protect her pale Irish complexion. Her eyes are the grey-blue of her ice, and she gives the impression of being far taller than she really is.

To explain how a girl from County Kerry came to become a Baluch matriarch, "Auntie Jennifer", as she is known here, pointed to an old photograph hanging on the wall next to daggers and a tiger skin. It showed a proud man in a long beard, and a small boy dressed in embroidered silks like a playful, miniature genie. Then, another photograph, circa 1942: a group portrait of undergraduates at Exeter College, Oxford, on their way to a ball with their silk-gowned girlfriends. She puts



Icewoman cometh: Jennifer Wren Musa – a born leader

her finger on a handsome student. It was the genie grown up.

"His name was Qazi Musa, and he was studying philosophy. I was a nurse at Oxford during the war, and we fell in love," said Mrs Musa. In all his descriptions of Baluchistan – the slow grace of a camel caravan moving along the floor of ominous, iron-coloured mountains – there were no words that could explain to a Kerry girl the total absence of greenery.

Qazi Musa also warned of another difficulty. His parents had already married him off, at 14, long before he entered Oxford. "He offered to divorce his first wife, but I said it wasn't necessary. She lives down the road

from here. We're good friends," Mrs Musa said. They married, she took the name Jennifer Jehan Zeba, and they went to live in Pishin, in an ancestral home where the mud walls are two feet thick to protect against the heat and marauding tribes.

Although the Baluch are strict Muslims who keep their women veiled and in purdah, Mrs Musa did not find that wives or daughters were mistreated. "That's a lot of old nonsense. These tough Baluch men all listen to their mothers," she laughed.

Her nursing proved useful. Often, Mrs Musa would go up into the mountain villages, bringing medicine and dressing wounds. One day, a nomad

wandered through, asking for water. "I went into the kitchen and brought him buttermilk. When I came out, he was telling my driver how he'd heard that the Queen of England had given an Englishwoman to a Baluch lord. I didn't have a heart to tell him that it was me in my filthy clothes. I think he expected me to be sitting grandly on a throne."

After her husband was killed in a car crash, Mrs Musa thought of going back to Ireland with her son, Ashraf, then 14. "We didn't have much money, but Ashraf told me, 'Mummy, I can't leave. This is my country.' A naturalised Pakistani, she was persuaded to stand for the national assembly. There, she crossed swords over the drafting of the constitution with the late prime minister, Zulfikar Ali Bhutto, father of the present premier, Benazir. "He thought he could charm me, but I resisted." She set up the country's first family planning programme and the country's first women's association before democracy was crushed by a military coup.

"I couldn't even do any social work, so I just closed my gate and cultivated the garden," she recalled. She planted pomegranate trees and roses at the edge of the desert. Then she sold ice to tribesmen. Today, the lawlessness of Afghanistan is spilling across the desert frontier. Kidnappings are now commonplace, and foreigners are warned away from Baluchistan. The new marauders no longer have muskets but tanks and heavy artillery. This doesn't worry "Auntie Jennifer", though. She wants to build a library next to her pomegranate trees.



Baluchi badlands: Epic feuds blow up like whirlwinds in this fierce frontier country Photograph: Robert Harding

Hundreds killed as Burundi army runs amok

ELIJAH KABAN
Reuters

Kigali — More than 250 Hutus in northern Burundi were killed in a raid last weekend that appears to have been the work of Burundi government soldiers, a senior government official said yesterday.

The attackers struck at Tangara hill, near the northern town of Ngozi. Most of the dead were villagers.

"We have information from the governor that 252 people were killed. We don't have details but it appears it was the military," said the presidential cabinet chief, Mamas Bansiyeke.

Aid workers of Western relief agencies in Ngozi said more than 140 people had died and the death toll could reach 200. The raid appeared to be in retaliation for attacks carried out by Hutus on the Tutsi minority.

Tens of thousands of people have died in two years of conflict between the mainly Tutsi army and rebels of the Hutu majority who control swathes of land in the north. The latest cycle of bloodshed was sparked off by the October 1993 assassination of the first democratically-elected Hutu president, Melchior Ndadaye, by renegade Tutsi soldiers.

The remote northern region was tense yesterday. Aid workers in Ngozi reported clashes between the rebels and the military near Kayanza region, to the west of Ngozi. "A lot of people are fleeing to the hills," one Westerner said.

Aid workers said the killings began on Friday and lasted into Saturday. Up to 50 people were in Ngozi hospital with injuries. There were also casualties in hospital in Kayanza town, they said. Western diplomats in the Burundi capital,

Bujumbura, said the governor of Ngozi promised to announce a detailed report on the killings. The crisis in the Central African state has deepened recently with extremist militias from both sides threatening to torpedo the uneasy collaboration between a Hutu-led government and the army.

Despite moves towards pluralist politics, the Tutsi-run army has refused to open up its ranks to Hutus.

The shaky coalition's writ no longer runs outside the capital. The army and Tutsi death squads rule the interior while Hutu rebels with equally vicious reputations hold sway in the north-west and north-east.

Neighbouring Rwanda has a similar ethnic mix. Last year an estimated 1 million Rwandan Tutsis and moderate Hutus were slaughtered in a genocidal campaign instigated by the then Hutu-led government and army.

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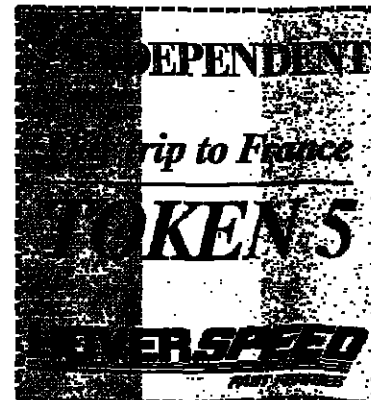
lets, including the finest cheesemongers outside Paris. A must, however, is The Grape Shop. This excellent wine merchant, voted best Cross-Channel Outlet 1995, is offering Independent readers a free bottle of House Champagne when they spend £40 or more.

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The Queen says sorry to wronged Maoris

DAVID BARBER
Wellington

The Queen will today put her signature to an abject apology to a New Zealand Maori tribe for killings and the seizure of land it suffered under her ancestor, Queen Victoria.

As Queen of New Zealand she will give the Royal Assent to an Act of Parliament compensating the Tainui tribe of

Waikato province in North Island for its suffering during a war 130 years ago.

The apology says the Crown acted unjustly in sending troops to fight the Tainui after unfairly labelling them rebels and offers "profound regret and apologies for the loss of lives because of the hostilities arising from its invasion and at the devastation of property and social life which resulted".

The New Zealand government has stressed that while the document is in the name of the Crown, it is not a personal apology from the Queen and it has rejected a demand from some Maoris to ask her to make such an apology.

"The Queen acts through her governments and doesn't do things personally," said the Minister of Justice, Doug Graham. "It would be quite improper to

ask her to apologise personally.

"It will enable the Waikato Tainui to at least have a statute with her signature on it, but under no circumstances is that to be regarded as the Queen herself saying sorry. Otherwise she'd spend the rest of her reign going around the world doing the same thing."

The Governor-General, Dame Catherine Tizard, normally gives the Royal Assent to

ills passed by the New Zealand Parliament. But the Queen, who is here to attend next week's Commonwealth summit, has agreed to a request by the government to sign this one. She will do so at Government House, Wellington, in the presence of the Maori Queen, Dame Te Atairangiako, and elders of the Tainui tribe.

The bill acknowledges that the invasion breached the

Treaty of Waitangi, signed in 1840 on Queen Victoria's behalf, under which Maori tribes ceded sovereignty in return for guaranteed continued possession of their lands. Despite this, the Crown confiscated about 1.2 million acres of Tainui land in 1865 as punishment for what it called rebellion.

The Queen's signature is highly significant to the tribe. "Because Queen Victoria was

in essence a signatory to the treaty, it is important that the current monarch has some involvement, however symbolic," said a government official.

The six-paragraph apology attached to the compensation bill acknowledges the spiritual regard Maoris have for land. It recognises the confiscation was wrong and has "caused Waikato to the present time to suffer feelings in relation to their lost

lands akin to those of orphans." It talks of the tribe's sense of grief at being alienated from its land and acknowledges the seizure had a "crippling impact on the welfare, economy and development of the Waikato province. The government will give back 39,000 acres of Crown-owned land, valued at \$NZ100m (£43m). About 30,000 Tainui people will benefit from the settlement.

Confusion hinders SA local elections

TOM COHEN
Associated Press

Johannesburg — South Africa's first all-race local elections were marred in some areas yesterday by problems, including improper ballots, late officials and even a hungry elephant that caused people to wait for hours.

Confusion resulting from people going to the wrong polling station or failing to find their names on registration lists also slowed the process and sparked angry confrontations.

But at many polling stations, long lines demonstrated that democracy was at work, extending the political power obtained by the black majority in the African National Congress, now in government with the first all-race vote last year, to the local level.

While President Nelson Mandela's ANC won the April 1994 election to head the national government, there were no black elected officials at local level, though some black mayors were appointed over the past 18 months as transitional leaders.

"This is the completion of the democratic process," Mr Mandela said on a visit to a polling station in the Atteridgeville black township outside Pretoria. Because he registered in Cape Town, where voting has been postponed due to a boundary dispute, Mr Mandela did not vote yesterday.

Election officials expressed satisfaction with the voting, calling it generally smoother than the national vote last year.

But in some areas, polling officers worried that the slow pace would make it impossible to handle all voters before polls closed.

Scuffling broke out at a polling station in a black township near Pretoria when people whose names were missing from the voters' lists protested. The station shut down while police and election officials tried to restore order. The ANC urged people experiencing difficulties to remain calm "and desist from doing anything which might hamper the process of voting".

'We don't want to vote, as the government doesn't do anything for us'

About 500 people awoke with the dawn in the Phola Park squatter camp south of Johannesburg to be the first in line at three green and yellow tents set up on a soccer field.

"I care about these elections so I thought other people would care," said Beauty Mvimbi, who turned up 90 minutes early. She said last year's election, which ended apartheid and inspired hope for millions of poor blacks, was different from yesterday. "That was one about the government and now it is about services," she said. "We need houses, services, everything."

A holiday was called for the elections to choose almost 700 local and rural councils. Most of the councils were expected to be black-led.

Turnout was expected to be low because of voter apathy and confusion over a dual ballot paper that asks people to vote for a candidate and separately for a party. Many South Africans also complained that the government had failed to deliver on promises of jobs and houses made before last year's election and questioned why they should vote again.

"Most of us, we don't want to vote because the government doesn't want to do anything for us," said Mongezeleli Ngilo, 27, outside a polling station in the Kayamandi black township near Stellenbosch in Western Cape province. "I'm going to vote but in my heart I don't like it because I don't know the candidates."

Political disputes forced voting to be postponed until next year in KwaZulu-Natal province and the Cape Town metropolitan area, along with some isolated rural areas.

Among the logistical problems at some polling places were improper ballot papers, missing materials, late officials and even a lack of electricity.

Voting in the remote Mhinga area, near Kruger National Park, was delayed for about an hour by a lone bull elephant eating berries and leaves near a polling station. Many people were afraid to approach the elephant for fear it would charge. Voting resumed after the elephant moved on.



Poll position: A woman with her identity card waits to vote

Photograph: AP

President Mandela said yesterday he would not halt the prosecution of a former defence minister and 10 other senior military officers accused of killing 13 blacks eight years ago, *Reuters* reports. "I certainly wouldn't stop it," Mr Mandela told reporters. General Magnus Malan and

10 other senior officers from the apartheid years are due to be arrested today in connection with the 1987 killings and so-called Third Force activities against anti-apartheid activists.

"Where people go and slaughter innocent people, including seven children who are not in any political organisation,

a priest and members of his congregation, I want to know whether that was the policy of the National Party," Mr Mandela said.

The National Party, headed by former president, FW de Klerk and now in government with the ANC, wants temporary immunity for the generals.

IN BRIEF

Quebec searches for new premier

Montreal — Quebec's separatist government began seeking a new premier yesterday after the dramatic resignation of Jacques Parizeau, who appalled even supporters by blaming immigrants for the razor-thin defeat in the independence referendum. Mr Parizeau expressed hope that his departure would help, not hinder, the crusade for independence of Canada's largest province. Lucien Bouchard, head of the Bloc Québécois separatist party in Parliament, distanced himself from Mr Parizeau's remarks. In which he blamed Monday's defeat on "money and the ethnic vote" Mr Bouchard, who was the separatists' most passionate orator during the referendum campaign, refused to say if he wanted Mr Parizeau's job. *AP*

Chinese takes reins at HK Jockey Club

Hong Kong — One of Hong Kong's most prestigious jobs, head of the Royal Hong Kong Jockey Club, will pass out of British hands a year before the colony reverts to Chinese control in mid-1997. The Jockey Club said yesterday that a China-born businessman, Lawrence Wong, who was educated in Hong Kong and Taiwan, will take over the reins in March. He replaces a retired British general, Guy Watkins, who has held the racing fraternity's top job — and plum social and charity position — for more than 10 years. *Reuters*

Youths on rampage in Paris suburbs

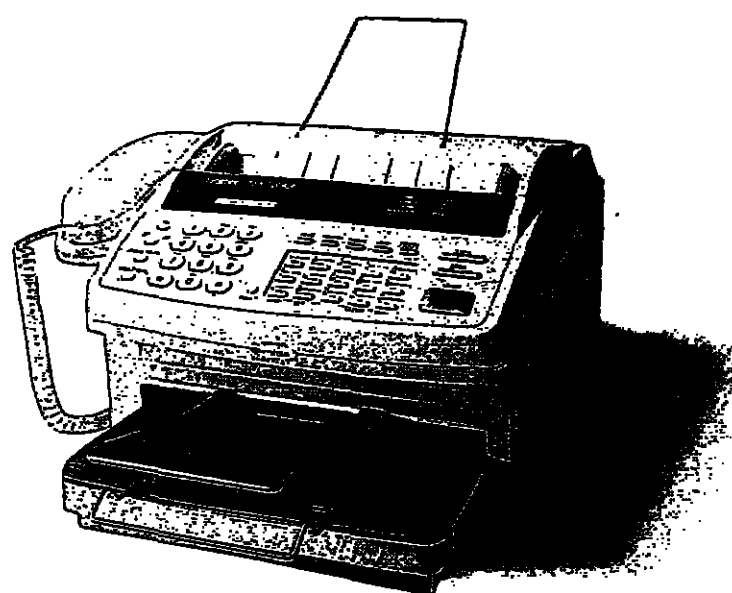
Paris — Youths attacked shops, cars and a police station in flare-ups of violence which have become a nightly occurrence in the suburbs of the French capital. Police said some 50 youths armed with metal bars and baseball bats damaged several shops and 30 cars in Vigneux-sur-Seine after a march to demand the opening of a gymnasium. A police station and a children's day-care centre came under attack in a separate incident in Evry. Similar violent incidents had taken place the previous night in the suburbs of Persan, Goussainville and Grigny. *Reuters*

Colombo fears chemical-weapons attack

Colombo — Sri Lanka's army fears rebel ambushes and possible chemical-weapon attacks as it stands poised to seize the northern Tamil Tiger guerrilla stronghold of Jaffna, military sources said. Aid workers said the army could move into Jaffna city within hours if it wanted to after an exodus of more than 100,000 rebels and civilians left it a virtual ghost town. "They may have tried to depopulate Jaffna so that they can use chemical weapons when our troops move in," a senior officer said. *Reuters*

Loch Van monster cuts comic figure

Ankara — Authorities are sending investigators to Turkey's largest lake in search of a monster described as looking like a dinosaur. The Turkish version of the Loch Ness monster has reportedly been sighted in Lake Van, in eastern Turkey. When the deputy governor of the province recently claimed to be among those to have seen the creature, a parliamentary commission agreed to conduct a formal investigation. "The monster was just like in cartoons. It was black and had triangular spikes on its back. It looked like a dinosaur," said the official, Bestami Alkan. *AP*



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obituaries/gazette
Derek Enright

For the second time in half a decade the Hemsworth constituency of South Yorkshire has had a well-regarded Member of Parliament snatched away prematurely by cancer. The late and brave George Buckley in 1991, and now Derek Enright, whose courage in appearing in Brighton at the Labour Party Conference last month deeply moved his colleagues and multitude of friends. But then courage and resilience were the essence of Enright all his life. He had in abundance the qualities associated with an archetypal Yorkshireman - which indeed was what he was.

It was not in the least surprising that Enright within weeks of arriving at Westminster should have embarked on a picturesque, rather loud, but occasionally successful fracas with the Serjeant-at-Arms as to whether his dog Sam should be allowed into the House of Commons. Owners are often like their dogs, and Sam was a bull-terrier. So was Enright. What however was concealed under the collar of the bull-terrier was a first in Greats at Oxford.

His father, Lawrence Enright, was a railwayman who had been a ring-leader and on that account pre-emptorily sacked during the 1926 general strike. Both in the European Parliament and later at Westminster Enright would lead the roar against any statement which could be interpreted as industrial injustice. The treatment of his dad was an ongoing scar.

But he told me that the hereditary genetic basis of the fire in his belly mostly derived from his mother, Helen. She had led the first big dispute for better conditions at the old Pontefract liquorice works, which used to produce most of Britain's indigenous liquorice sweets.

All his life a devout Roman Catholic, he was selected to go to St Michael's College, a distinguished grammar school in Leeds, where he told me that a particular elderly teacher had imbued him with love of learning and the Classics. The im-

portance of the individual inspirational schoolmaster was constantly harped upon by Enright during the many committee stages on educational Bills on which he served in the House of Commons. John Gurnell, leader of the West Yorkshire Metropolitan County Council and now MP for Leeds South and Morley, whom Enright beat in selection for a European Parliament seat by 49 votes to 48, told me: "Derek was humorous and incisive throughout all the hours we spent on educational legislation together. He could make a point picturesquely and memorably. He did not divorce his professional experience from his politics."

It was this love of the Classics which paved the way for a scholarship to Wadham College, Oxford, and the spell of the charismatic Warden of Wadham Sir Maurice Bowra.

Bowra took the view that the whole Greats course required a good preparation before anyone could start it. He must have enough command of the ancient languages to be able to read them in bulk and to know what the text meant. If he could do this he would have finished his education with a training which exercises his mind in three quite different directions; first in ancient literature which would introduce him to a world unlike his own; second in ancient history which was a stiff discipline in the use of evidence and the assessment of historical fact; and third in abstract thinking, both in interpreting the works of philosophers and in forming some kind of philosophy for himself. Enright benefited to the full from this rich, if exacting, training.

Once Enright ended a difference of opinion with me on a matter of Labour Party policy, "Push off, and bury yourself in Bowra's *Pericles* - then you'll know better!" Not quite the standard rebuke between parliamentary friends and colleagues.

In Arthur Scargill's heyday it was not the norm for newly

elected Labour MPs from the Yorkshire coalfield to quote the Classics in their maiden speech. However, Enright was undeterred in speaking to the Commons on 13 November 1991.

This constituency has been destroyed because of the destruction of its industry, mining, a destruction that was completely unnecessary. We are left with real problems of unemployment and all that goes with that with the drifting away of hospital care so that everything is centred outside the constituency, with the drifting away of real jobs so that people have to move outside. One reason for that drifting away is that as a result of the Government's failure to obey European Community rules, we are not getting the money that should underpin the EEC money for coalfield communities.

Cato used to end all his speeches with the words "Delenda est Carthago". I will conclude all my speeches with a plea for money from Redcar. We have already sown the seeds of what needs to be done to bring about job regeneration in my area. The small extra amount of money for that purpose already approved by the commission would make a tremendous difference. The mining part of the community that I represent is extremely important, even though only one pit is left. Our history and our traditions are in mining and those traditions remain even when people move into other kinds of industry.

The reason why Enright was so popular in all parts of the Commons was that his serious points were laced with humour. In the same breath as berating the Government for not providing Euro funds he said, "There is also the village of Ackworth, where Geoff Boycott took his first faltering steps at the crease to become the greatest cricketer that the world has ever seen and a great Yorkshireman. Ultimately, because we pray for him every night, he will change his politics."

Within months of doing a DipEd, on account of his obvious quality of mind and no-nonsense discipline Enright became head of department in 1959 at the John Fisher School, at Purley in Surrey. In the course of my public life several ex-pupils of Enright's have vouchsafed to me, "Do you

know Derek Enright? He was my Classics teacher. One hell of a bloke!" They remembered him vividly, and adored that which they remembered. Teaching Classics by definition to gifted children he was inspirational.

Partly for social conscience, partly out of a desire to return to his roots and partly out of political ambition and the feeling that South Yorkshire was more likely territory than Surrey for an honourably aspiring politician in 1967, Enright moved to become deputy head of a comprehensive school. He later told the Commons:

Featherstone is another area that once relied on coal and it is also where I taught for 12 years as deputy head of a comprehensive school which I helped to establish. I am extremely proud of the comprehensive education system. My school vied with eight grammar schools and produced results better than any of them - and for many more children. That is why I am proud of the comprehensive system and why I support my colleague Derek Fatchett, MP for Leeds Central. In all his splendid work to make education once more a human thing with human values.

In 1974 Enright became a West Yorkshire County Councillor whose rumbustious good sense impressed itself on the discerning Sir Alec Clegg, the distinguished chief education officer of the West Riding. As a trustee of the British India Steam Navigation Company ship school scheme I had known Clegg well and he told me he was delighted that Enright should become a member of the European Parliament for Leeds in 1979. He was one of the members of the first directly elected European Parliament to make serious use of the opportunity. In April 1984 he produced an important pioneering report on Namibia. Only time will tell whether the latest initiatives launched in southern Africa will turn out to be another false dawn as far as Namibian independence is concerned. Its past vicissitudes invite some scepticism. It is vital at this time for the EEC to reiterate its full support for implementation of aid and help to back up that commitment by offering an independent Namibia a clear opportunity for permanent political and economic links. However the community



Derek only speaks Ancient Greek: Enright with his wife, Jane, on his winning the Hemsworth by-election in 1991.

should not wait for full independence before granting aid and indeed it has not done so. Some conditional direct aid should be made available for humanitarian purposes in addition the community can step up aid to Namibians outside the country both through aid for Namibian refugees and by offering fuller support for training and education possibilities for Namibians living outside their country.

When Enright was deselected in 1984, for reasons that had nothing to do with his excellent performance in the European Parliament and everything to do with the state of the Labour Party in Yorkshire at the time, he went to Africa as the EEC delegate in Guinea-Bissau. His wife Jane, who gave him wonderful support in over three decades of happy marriage, says that Africa was a very fruitful part of their lives. This high opinion was reciprocated by people in Brussels who knew about the West African situation - other than one who had been mauled in a hearing by Enright when he

was a MEP and took revenge by terminating his Guinea-Bissau appointment.

As it happened the Hemsworth seat became vacant. The Labour Party was divided by the leadership's decision to impose a moderate candidate to fight in place of Ken Capstick, a close ally of Arthur Scargill. NUM officials accused the leadership of "obsessive vendetta" against the miners and described Walworth Road's action as "creeping Stalinism". The Hemsworth constituency demanded a new selection process. After vetting all nine potential candidates the leadership's "by-election hit squad", led by Roy Hattersley, rejected Capstick and presented the local party with a short list of four moderate candidates. When the local party refused to endorse any of them the squad imposed Derek Enright. It is easy to imagine the resentment once he was elected but it was also typical of Enright that he

should mend his fences after the famous by-election.

His press conferences at the 1991 by-election were described by one seasoned journalist as bilingual - English and Latin. His ex-pupils expatiated on his Latin versions of "Yellow Submarine" and "Eleanor Rigby". A Labour Walworth Road poster "Making Hemsworth Count" went up in a Featherstone council house window. Underscored in Latin with translation was "And about time too". Enright took an active part in the social life of the House of Commons and went to Cornwall to play cricket under the captaincy of Graham Allen, MP for Nottinghamshire East. As his colleagues cheerfully put it, "No amount of ozo and retsina could help" their colleague Derek "in his attempts to converse with his generous hosts." "Derek," they said shook their heads, "speaks only Ancient Greek."

Barbara Castle said, "Derek Enright was one of the best colleagues I had in the European Parliament." His colleagues in the House of Commons would echo the verdict of Enright's parliamentary neighbour and friend the deputy speaker Sir Geoffrey Lofthouse: "Derek, open to the point of sometimes being naive, was as sincere a man as I have ever met."

Tam Dalyell

Derek Anthony Enright, schoolmaster and politician, born Thornaby-on-Tees, Cleveland 2 August 1935; Head of Classics, John Fisher School, Purley 1959-67; Deputy Head, St Wilfrid's, North Featherstone 1967-79; Member of the European Parliament (Labour) for Leeds 1979-84; EEC delegate in Guinea-Bissau 1985-87; MP (Labour) for Hemsworth 1991-95; married 1963 Jane Simmons (two sons, two daughters); died London 31 October 1995.

Brian Lenihan

Brian Lenihan served in a host of Irish cabinet posts, including three spells as foreign minister, an indication of his unusual popularity - and, latterly, of his unending support for his leader Charles Haughey.

In 1990, 33 years after he was first elected to the Senate, Lenihan was Fianna Fail's natural choice to run as its 1990 Presidential candidate. His self-deprecating manner attracted the goodwill of even the strongest political opponents.

Lenihan had courted controversy with abrasive remarks as foreign minister which raised British hackles. But at home his easy-going style had seen through changes such as the ending of widespread censorship of books. He was one of the "men in mohair suits", expeditious younger Fianna Fail leaders associated with the rising new business class, known for enjoying life to the full.

Though his own electoral successes were mixed - he entered the Dail at the third attempt and lost his seat temporarily in 1973 - he was a valued adviser to Haughey after he replaced Jack Lynch in 1979. Lenihan had earlier held cabinet power at Justice, Education and Transport before his first spell as foreign minister in 1973.

His tenure at Justice gener-



Lenihan: 'No problem'

peared to survive at Lenihan's expense. Lenihan won more first-preference votes but, aided by transfers from the Fine Gael third-placed candidate, the Labour-backed Mary Robinson pulled ahead.

Lenihan's practical side often appeared from somewhat foggy presentation and roundabout logic. A regular attendee at the Forum for Peace and Reconciliation at Dublin Castle, he sought out areas of agreement, as when establishing a Loyalist and Republican consensus on seeking restoration of 50 per cent remission for paramilitary prisoners in British jails.

The SDLP deputy leader Seamus Mallon paid tribute to Brian Lenihan's commitment to non-violence in Irish affairs. "His influence has led to the situation where we will now be able to solve our problems by peaceful means," he said.

Alan Murdoch

Brian Joseph Lenihan, politician, born Dundalk, County Louth 17 November 1930; TD for Roscommon 1973-77; Dublin West 1977-95; Minister for Foreign Affairs 1973-79, 1987-90; Deputy Minister for the European Parliament 1973-77; Taoiseach (Deputy Prime Minister) 1987-90; married 1958 Ann Devine (four sons, one daughter); died Dublin 1 November 1995.

For almost a decade, Barry Hall was a central figure in British small-press publishing and letterpress printing.

Born in Westminster in 1933, he was educated at Highgate College and St Martin's School of Art, then worked in London as an engraver. In 1961 he moved to the United States for a year, living mostly in San Francisco. There he became friendly with many of the poets and painters of the San Francisco Renaissance, and exhibited his own work at the newly opened Batman Gallery.

Back in London he co-founded the Gollard Press in 1964 in a ramshackle stable in West Hampstead, and hand-set, printed and published books with Elaine Feinstein, Charles Olson, Aram Saroyan and others: many for the first time in Britain. Other small presses benefited from his skills. He printed the first edition of Basil Bunting's *Briggflatts* for Fulcrum, and produced many volumes for Bernard Stone's Turret Books.

Gollard was so successful that in 1967, through the efforts

of Nathaniel Tarn and Tom Maschler, it came under the Jonathan Cape umbrella as Cape Gollard. Hall continued working, producing a list that included Neruda, Ginsberg, Paul Blackburn, J.H. Prynne, Gael Turnbull and Ted Hughes, until one day, bored, he left the rollers halfway across a page of type, walked out, and went to America.

For many years he was on the move. Breeding quarter-horses and making movies in New Mexico. Writing scripts in London. Filming Dale Herd's

Dreamland Court in Los Angeles. Recovering from a severe illness in Newport, Rhode Island. Making a television film on Kerouac. Working, again (briefly) as an engraver in London. Then he visited Africa, fell in love with Kenya, and moved there.

For more than 10 years he lived, with Beth Vanderwater, on the edge of the Masai Mara game reserve, and built up a film and television production company in Nairobi. During the last few years he began to paint again, but exhibitions planned

this autumn in California and Alaska had to be postponed.

The pictures, films and books mark his passage, but the hole left in the lives of the friends of this remarkable and elegant man is his most obvious trace.

Tom Raworth

Barry Leonard Hall, painter, printer, film-maker born London 15 January 1933; married 1956 Jackie Hillon (two sons; marriage dissolved 1971); 1973 Kathy Ainsworth (one son; marriage dissolved 1977); died Nairobi 29 October 1995.

easy about promoting himself and refused to change his style to meet the demands of the politics of the television age. I can understand why. I was brought up in the same rural setting of the Motueka district at the top of New Zealand's sparsely populated South Island, where any flaunting of one's abilities, or public displays of emotion were frowned upon.

This was the origin of Rowling's low-key, self-effacing and passionless style. But it was also a source of the strength of his leadership, which was firmly based on a sense of duty to serve the community.

Sir Wallace Rowling

In 1981 I wrote a biography of the New Zealand Labour leader Bill Rowling because I wanted to destroy the myth that he was, as Prime Minister and later Leader of the Opposition, a weak and ineffective leader, writes John Henderson [further to the obituary by David Barber, 1 November].

I failed to achieve my objective. Labour was defeated in the 1981 election, and before long David Lange took over as Labour leader and in 1984, Prime Minister. Only with Rowling's untimely death have his political friends and foes at last recognised that it is possi-

ble to be both a gentleman and a strong leader.

Rowling was able to be portrayed as weak by his political foes because his small size and high-pitched voice contrasted so vividly with the larger-than-life political figures who surrounded him. Norman Kirk, whom Rowling succeeded as Labour leader following Kirk's sudden death in 1974, was a giant of a man, and one of New Zealand's few charismatic leaders. The National Party leader Robert Muldoon brought out the worst in New Zealanders with his aggressive populism and fear-mongering which succeeded in

ending Rowling's period of Prime Minister after only 15 months in office. Lange eventually emerged from the wings, and his booming oratory signalled a growing impatience to take over the leadership reins from Rowling.

But I believe Bill Rowling was a stronger leader than any of these more illustrious figures. As Minister of Finance he enforced a degree of realism on Kirk's ambitious programmes for social spending at a time when the oil shocks had dramatically reversed New Zealand's economic fortunes. As Prime Minister he avoided the

temptation that Muldoon would later succumb to of seeking to isolate New Zealand from the realities of the international market.

At the other extreme, as Labour Party leader he constrained the free-market excesses of his Finance spokesman, Roger Douglas, who would later be given a virtual free hand by David Lange to transform the New Zealand economy at great expense to Labour's traditional supporters.

In failing to make his mark as a strong and effective leader Rowling was in many ways his own worst enemy. He felt un-

Births, Marriages & Deaths

DEATHS

HARVEY: The Rev Oliver Douglas, on All Saints Day, in his 95th year. Funeral, Puddletown Parish Church, 1pm, on Friday 10 November 1995.

For Gazette BIRTHS, MARRIAGES & DEATHS, please telephone 0171-293 2911.

ROYAL ENGAGEMENTS

The Prince of Wales, on behalf of the Queen, holds an Investiture at Buckingham Palace, as Patron, National Trust Centenary Appeal, with Charles, Prince of Wales, as President, Royal Shakespeare Theatre, chairs the Annual Ceremony Meeting at The Other Place, Stratford-upon-Avon, Warwickshire, and visits the Shakespeare Centre, the headquarters of the Shakespeare Birthplace Trust, Stratford-upon-Avon. The Princess Royal, President, International League for the Protection of Horses, attends the Seminar at Breda, Newmarket, Suffolk, as Patron, Sme - the National Dead-End and Rabbit Association, attends a fund-raising luncheon for the First Region, Peterborough Hunt, Peterborough, Cambridgeshire, London University, attends the Foundation Day, London University Science House, London WC1, Princess Margaret, President, National Society for the Prevention of Cruelty to Children, attends a dinner in aid of the Society at the Victoria and Albert Museum, London SW1, the Duchess of Gloucester, Patron, St Peter's Research Trust, attends a reception to the 25th anniversary of the foundation of the trust at St James's Palace, The Duchess of Kent, Patron, launches the "One Number" Project, St Stephen's Church, London EC4, Princess Alexandra, President, Imperial Cancer Research Fund, visits Dundee University and opens the St Anne's Ocular Research Unit at Ninewells Hospital and Medical School, Dundee, and, as President, with the Imperial Cancer Research Fund Staff, Dundee.

Changing of the Guard

The Household Cavalry Mounted Regiment attends the Queen's Life Guard at Horse Guards, (House of Commons) and the Changing of the Guard, at Buckingham Palace, 11.30am, band provided by the Coldstream Guards.

Birthdays

Lord Ashburton, former chairman, Barings, 67; The Earl of Aylesford, former Lord-Lieutenant of the West Midlands region, 77; Lady Bathurst, former diplomat, 75; Sir David Calcutt QC, former Master, Magdalene College, Cambridge, 60; Sir Clifford Chubb, chairman, Broadgate Properties, 67; Mr Keith Emerson, rock musician, 51; Mr John Fingerhut, pharmaceutical chemist, 65; The Right Rev Philip Goodrich, Bishop of Worcester, 66; Mr Desmond Hamill, television reporter, 59; Dr Ronald Hedley, former Director, Natural History Museum, 67; Mr Paul Johnson, author and journalist, 67; Mr Alan Jones, grand prize driver, 49; Mr David Lee, Assistant General Secretary, TUC, 58; Sir Bruce Martin QC, former chairman, North Western Regional Health Authority, 57; Miss Juliet Mills, actress, 54; Miss Pauline Neville-Jones, Political Director and Deputy Under-Secretary of State, Foreign Office, 56; Sir Peter Newsam, former Director, London Institute of Education, 67; Sir Ronald Oxburgh, Rector, Imperial College of Science, Technology and Medicine, 61; Professor Norman Pyle, geographer, 82; Mr Nor Roberts-Jones, sculptor, 82; Mr Ken Rosewall, tennis player, 61; Lord Sainsbury of Preston Candover, former chairman of Sainsbury's, 68; Mr Bruce Welch, rock musician, 54.

Anniversaries

Births: Daniel Boone, frontiersman, 1734; Marie Antoinette, Queen of King Louis XVI of France, 1755; Bert Lancaster, actor, 1913. Deaths: Jenny Lind (Johanna Maria), soprano,

1887; George Bernard Shaw, playwright, 1950; James Grover Thurber, humorist and cartoonist, 1961. On this day the *Daily Mirror* was first published, as a daily newspaper for women, 1933; Lord Balfour made his Declaration regarding a Jewish national home in Palestine, 1917; Channel 4 television was started, 1982. Today is the Feast Day of All Saints, St Marston of Cyrrhus and St Victorinus of Pettau.

Lectures

National Gallery: Frances Borzello, "The Loves of the Gods (3): Nicolo dell'Abate, *The Death of Eurydice*", 1pm. Victoria and Albert Museum: Irene Logan, "16th-century Limoges Enamels", 2.30pm. National Portrait Gallery: Commander H.D. Howe, "Nevill Maskelyne (1732-1811), Astronomer Royal", 1.10pm. King's College London, London WC2: Professor Petros Themelis, "Recent Research in Ancient Mesene", 6pm. Royal Institute of British Architects, London W1: Piers Gough, "How Good Architecture Can Regenerate Forgotten Areas of the City". Royal Society London SW1: Mr M.R. Hoffman, "Water Companies and the Environment", 5.30pm.

Luncheons

Foreign and Commonwealth Office: Mr Malcolm Rifkind QC MP, Secretary of State for Foreign and Commonwealth Affairs, hosted a luncheon held yesterday at 1 Carlton Gardens, London SW1, in honour of

Mr José Miguel Insulza, Minister for Foreign Affairs of the Republic of Chile.

HM Government: Baroness Chatter of Wallasey, Minister of State for Foreign and Commonwealth Affairs and Minister for Overseas Development, was the host of a luncheon held yesterday at Lancaster House, London SW1, for President Museveni of Uganda.

Dinners

Royal Geographical Society: The Princess Royal attended the President's Dinner of the Royal Geographical Society (with the Institute of British Geographers) held yesterday evening at Goldsmith's Hall, London EC2. Sir David Puttnam was the speaker. Earl Jellicoe was in the chair. Among others present were: Countess Jellicoe, Viscountess Montgomery of Alamein, Lady Puttnam, Sir George and Lady Bishop, Lord and Lady Chichester, Lady Dore, Sir Paul and Lady Gribble, Sir Cragin Tisdall, Mr and Mrs Robin Buchanan-Dunlop, Professor and Mrs Robin Butler, Dr Martin Evans, Dr Rita Gardner, Dr and Mrs John Hounslow, Miss Elspeth Innes, Dr John Jennings, Professor Glen Lucas, Professor William Meach, Dr Kate Rawlin, Mr Alan Tritton, Mr and Mrs Rex Wallford, Professor and Mrs Michael Wise.

Foundation for Science and Technology

Lord Rutherford, Chairman, Foundation for Science and Technology, was in the chair at a lecture and dinner discussion held yesterday evening at the Royal Society, London SW1. Lord Henley, Minister of State for Education and Employment, Professor Julia Higgins and Mr Martin Tins were the speakers.

Decision to exclude church leader was unfair

LAW REPORT

2 November 1995

Regina v Secretary of State for the Home Department, ex parte Moon; Queen's Bench Division (Mr Justice Sedley); 1 November 1995

A person applying for entry clearance to come to the United Kingdom is entitled to an opportunity to respond to matters raised against him before a decision is made.

Mr Justice Sedley declared that the Home Secretary's decision of 27 October 1995 refusing entry clearance to the applicant, Sun Myung Moon, was unlawful by reason of procedural unfairness.

The applicant, the founder and leader of the Unification Church, was required by the Home Secretary to have entry clearance to visit the United Kingdom. The applicant last came to the UK in 1978.

In 1989 the applicant was refused entry but, on appeal, an adjudicator directed that entry clearance should be issued in December 1991, and again in July 1992 with effect until January 1993.

On 18 October 1995 the applicant applied to the entry clearance officer in Seoul, Korea, for a visit to the UK from 3 to 5 November. The purpose

of the visit, described as a single private visit, was to meet members of the church and to be briefed about the church here, and on 4 November to deliver a speech to 1,200 guests, many of whom were members of the church. The application was referred to the Home Secretary, who decided on 27 October to refuse entry clearance on the ground that the proposed visit would not be conducive to the public good.

The applicant applied for judicial review of the decision on the grounds, among others, that the Home Secretary was under a continuing obligation to comply with the adjudicator's 1991 decision and the applicant had not been given the opportunity to deal with the factors taken into account by the Home Secretary, which according to the evidence included the activities of the Unification Church and its malign effects on the families of its members and widespread concern about the church and the applicant's visit.

David Pannick QC and Mark Shaw (D.A. Coombe & Co) for the applicant;

Michael Bellof QC and Ian Burnett (Treasury Solicitor) for the Home Secretary.

Mr Justice Sedley said that there was now no right of appeal to an adjudicator where entry clearance was refused on the ground that the Home Secretary concluded that a person's exclusion was conducive to the public good.

It was contended that the Home Secretary's decision could not withstand the strict scrutiny required by the law. The Unification Church was a lawful organisation and enjoyed charitable status. However, many things might be contrary to the public good without being unlawful. Although the decisions in December 1991 and July 1992 were both relevant facts to which the Home Secretary must have regard, there was no obligation in law to grant entry clearance. Nothing in the history of the case or the law truncated the making of the decision of whether exclusion was in the public good.

The question therefore was

whether the Home Secretary exercised his power fairly. There was no perceptible reason in the Home Secretary's decision letter for his conclusion on 27 October. There was a want of fairness in failing to afford the applicant to deal with why in 1995, unlike in 1992, it was not in the public good for him to come here. There was a departure from the ground rule that there was an obligation to listen fairly to both sides. The timescale was not such as to make that principle inapplicable. It was precisely the unpopular applicant who was entitled to that principle.

The objection to the applicant, as opposed to the organisation, was that the visit would seek to promote his church and therefore was not conducive to the public good, but there was a distinction between the promotion of the church and the encouragement of existing adherents. The applicant's plans, including addressing 1,200 guests, were for the Home Secretary to weigh.

The applicant now had the Home Secretary's reasons for his decision and could respond to them.

Ying Hui Tan, Barrister

Regina versus the politicians

Something extraordinary is going on in the relationship between judges and politicians. In the last month, we have seen the Lord Chief Justice swept aside by the Home Secretary in a dispute over sentencing and a violent row between Government and Eurojudges over the Gibraltar shootings. Judicial review of faulty ministerial acts is becoming commonplace.

Then there is Lord Nolan, the judge brought in by the Prime Minister to calm public anxiety about the ethics of MPs. A rebellion inside the Tory party now threatens the proposed Nolan rule book. Meanwhile Sir Richard Scott sits polishing his long-delayed report on arms sales to Iraq. The latest conflict is a vicious campaign against Lord Mackay, the Lord Chancellor. Led by the *Daily Mail*, this attack has so far come in three waves. First, against the Family Homes and Domestic Violence Bill, sent back for re-drafting after being falsely dubbed the "Live-in lovers' Bill" by *Mail* headline writers. (The Bill actually extends protection against violence to those who are neither spouses nor partners.) Then came the assault on the Divorce Bill, whose central purpose is to prevent marriage breakdowns leading to pointless and costly argument about "fault"; the Bill substitutes a mandatory one-year cooling-off period to encourage reconciliation or, where that is impossible, orderly discussion about children and money. This "anti-family" Bill may not now make the Queen's Speech.

The *Mail* went for the hat-trick yesterday by suggesting that Lord Mackay is about to sanction involuntary euthanasia in response to a report by the Law Commission, the official body that makes proposals on complex new areas of law. If backed by government, these are then framed as legislation for Parliament to consider. In vilifying the commission as a relic of the permissive 1960s (yes, the *Mail* is still haunted by this faraway decade) the newspaper yesterday lambasted the "twice-married feminist" Mrs Justice Hale, who served on the Law Commission from

1984 to 1994, as yet another enemy of family values.

Apart from the personal hypocrisy of the people who own this newspaper and who write this claptrap, two things are going on here. The first is that a Parliament stung by its own shame and failure into accepting external scrutiny of its members' financial affairs is peevishly sniping back. Judges were brought into the political process in a new way because of the perceived crisis of legitimacy of our politicians. Now the politicians and their press baron allies are seeking to discredit the judges and law officers.

The second is a growing conservative backlash on personal morality and "the family". It first hit the political mainstream with Mr Major's self-impugning "Back to Basics" programme and has been buttressed by the conservative moralism of New Labour, partially inspired by communitarianism. The fact that Lord Mackay is, as the Prime Minister put it last week, "one of the most civilised, decent and humane men" will not stop the propaganda. Mackay is painted as the politically gormless tool of dark, permissive purposes.

As the election approaches, there will be more of this. But before blocking your ears, remember that most of this talk about "family policy" has little to do with the way we really live. A third of children are born out of wedlock; policy-makers cannot ignore such realities. And for the *Mail* to dress its social authoritarianism in Burkean Tory robes, insisting that the best government is the least government, merely underlines its deep confusion.

So next time you encounter a right-wing political tirade against the judges, remember this. The politicians can see the judicial tanks on their lawn and they don't like it. Rather than set about serious reform of the democratic institutions over which they preside, which is the only way they will regain respect, too many parliamentarians prefer the good old ways. Blame the 1960s. Blame Europe. Blame the judges. Such diversionary rhetoric will not blow away the public's disenchantment.

Nigeria's deadly poker game

It's time to get tough with the Nigerian government. Sentencing the playwright, Ken Saro-Wiwa, and three others to death is just the latest in a long line of human rights abuses by Nigerian military rulers, not to mention the repression of democracy, repeated acts of corruption and complete economic incompetence.

Ken Saro-Wiwa is an environmental activist and leading campaigner for the rights of the Ogoni people. When four supporters of the Nigerian government were murdered in May 1994, Saro-Wiwa was one of the first to be rounded up. According to Amnesty International, he was beaten and tortured in prison, and his trial was a violation of justice.

If the international outcry is great enough, the Nigerian authorities may back down. For the military leader, General Abacha, it is a poker game with a pay-off: threaten to do something appalling, provoke a denunciation and then back down. In response the world community, relieved, reflects that Nigeria is not so bad after all. The Commonwealth heads of government meeting in New Zealand next week should not fall for any tricks this time. The crimes of the Nigerian government are by no means confined to Saro-Wiwa's death sentence. The victor of the democratic elections in 1993, Moshood Abiola, is still

lingering in prison accused of treason, after being deposed by Abacha.

Every diplomatic pressure should be exerted on the regime to introduce democracy. The sticky question is whether to go as far as economic sanctions. With a divided opposition, a fractious army, weak national institutions and a stubborn current leader, economic sanctions could destabilise the situation even further. And the moral argument for sanctions has been robbed of some of its force by President Nelson Mandela's remark yesterday that the South African government "prefers quiet persuasion of Nigeria".

The fact remains that apartheid South Africa is the perfect model of the role international economic pressure can play. In view of the failure of other forms of pressure, the case is now strong for introducing an oil embargo against Nigeria. The Commonwealth Conference should agree to introduce an embargo within the next few months unless the Nigerian government undertakes firm arrangements for an election next year under international supervision. It is the only language the military government understands. But if the threat alone doesn't work, the international community should brace itself for the long haul: for sanctions rarely deliver quick results.

ANOTHER VIEW Ian Craft

The generous gift of life

"I often wonder what they would reply those couples with their children in the street, if I should say: 'What is it I can't buy that you possess and go for free, complete, something that I'd give the world to own, and with the world to give, still could not own?'"

Roger Frith's poem on the plight of the infertile expresses in a dignified and emotive way what it is like to be barren. Last night's BBC TV programme *Here and Now* on the question of payment for egg donors was sinister in its innuendo. It deviated an important continuing debate by the Human Fertilisation and Embryology Association (HFEA). It tried to implicate one recruiting organisation (HOFE) and our centre by arranging for a "sham" couple to meet an agent of that organisation and then secretly filming the discussion with our nurse. One TV programme trailer maliciously indicated that the centre made "gifts" to prospective donors, something it has never done.

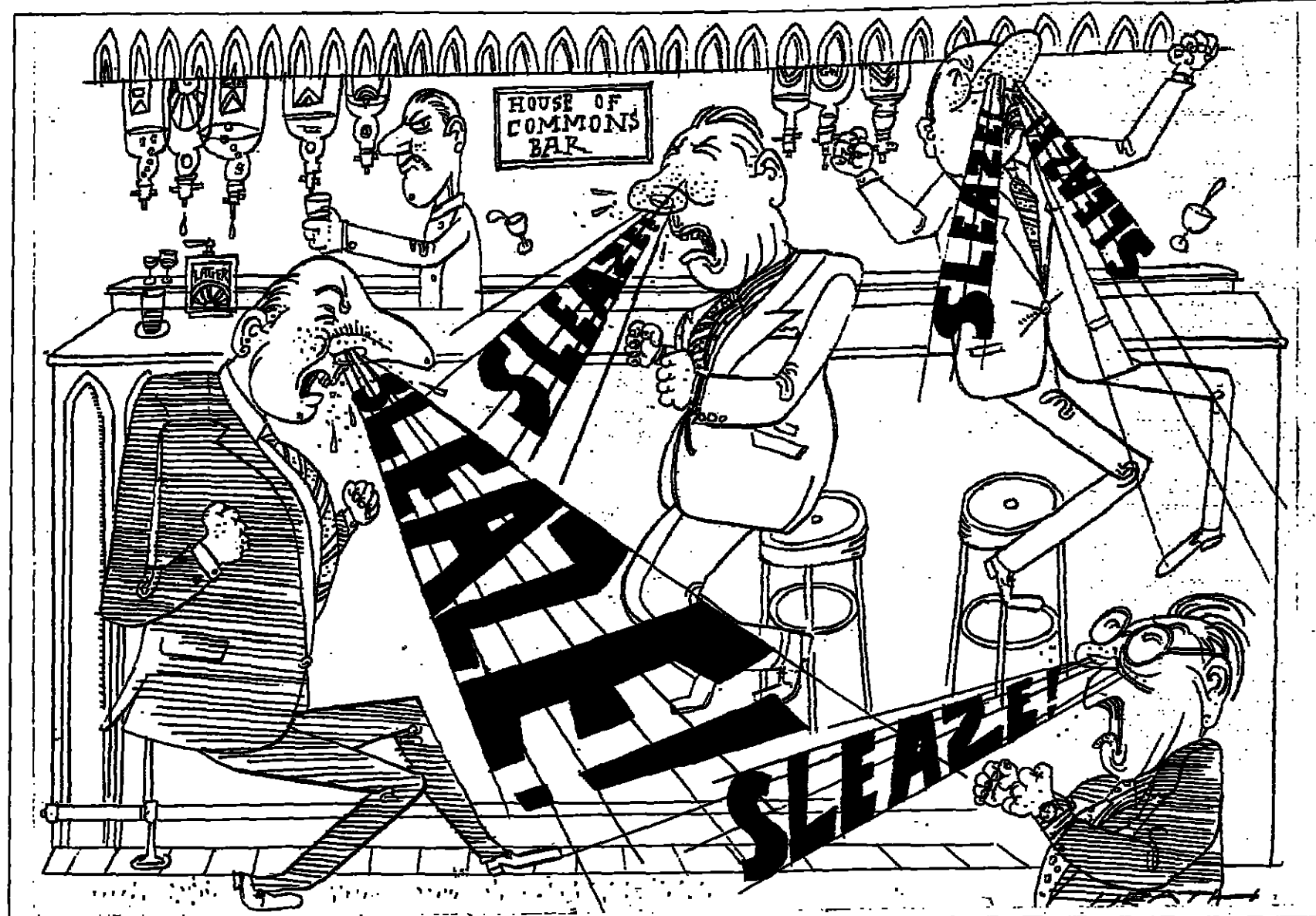
The ethics and morals of egg donation are well known to us since we pioneered this treatment in 1986 and have published repeatedly on the subject. The case is straightforward. All prospective donors are screened by medical personnel and usually see an independent counsellor. We have only ever recompensed donors with justifiable expenses, as agreed with the

HFEA. We are aware that gifts/payments may occur on occasions between respective parties, although we would prefer that donations were truly altruistic. Sperm donors receive £15 "expenses", and surrogate mothers surely do not carry someone else's child for nine months for pleasure.

The HFEA has been aware of the recruiting organisation for some time and has never suggested that we, or the other five centres using its donors, should cease to do so. It confirmed that payment is not illegal between private individuals. In June, we participated in an HFEA symposium on the payment of egg donors and reiterated our previously published open-minded view (*Independent*, 25 August 1994) for a non-profit making national body with paid counsellors, doctors and nurses to assist, recruit and monitor egg and sperm donors countrywide. We hoped more donors would then come forward, especially encouraged by advertising similar to those offering "life after death" by donating eyes, kidneys etc. Why not "life before death" for the infertile if egg and sperm donation were more widely available? For those destined to be barren, "life" as they know it is incomplete.

It is easy to criticise, to be negative, to be underhand and try to catch people out. The BBC has a lot to answer for.

The writer is director of the London Gynaecology and Fertility Centre.



There's a lot of it about

LETTERS TO THE EDITOR

Numerous injustices at the trial of Nigerian playwright

From Mr Michael Birnbaum, QC Sir: You report today on your front page the death sentence handed out to the writer Ken Saro-Wiwa and his co-defendants by a "special tribunal" in Nigeria ("Playwright sentenced to death", 31 October). In March of this year, I went to Port Harcourt in Nigeria to observe the proceedings of this "special tribunal" on behalf of the Bar Human Rights Committee and the Law Society.

Fifteen men were charged with the brutal murder of four Ogoni chiefs in a riot in Rivers State on 23 May 1994. The president of Mosop (the Movement for the Survival of the Ogoni People), Ken Saro-Wiwa, and two others were alleged to have incited the other 12 defendants to commit the murders. The Federal Military Government had decreed that the trial should take place before a "Civil Disturbances Special Tribunal". Its members, two judges and a military officer, were nominated by the president, General Abacha. Its decisions were to be subject only to confirmation by the Provisional Ruling Council of Nigeria. There was to be no right of appeal, even though death is the mandatory punishment for murder in Nigeria.

Abuses abounded at the trial. For example, Lt Col Okuntimo, one of the prime movers in the

prosecution of the defendants, insisted on being present at the conferences with counsel. Astonishingly, and despite the protests of the defence, the tribunal decided that it would hear two trials concurrently, one of five and the other of 10 defendants.

The vast majority of the witnesses were common to both trials. Therefore the prosecution could call all their witnesses twice, while each defendant would have only one opportunity to cross-examine and would be in peril of conviction based on evidence that he had not even heard.

The nature of the evidence, much of it inconsistent and confused, had a strong whiff of corruption about it. The two principal prosecution witnesses against Saro-Wiwa had sworn affidavits alleging that they and many of their fellow witnesses had been bribed to give false evidence. Other witnesses who, in their first statements had made no claim even to have seen the murders, later made statements claiming to identify some of the killers.

My concerns about the injustice of the proceedings and the tribunal's lack of independence, published in a report by Article 19 in June, are shared by many other observers. Amnesty International adopted three of the defendants,

including Ken Saro-Wiwa, as prisoners of conscience.

Now nine of the defendants have been convicted and sentenced to death. About 20 detainees are still in custody. Many, including the British government, have called for the death sentences to be commuted. This does not go far enough. It implies that the verdicts are legitimate and ignores the plight of those as yet untried. Supporters of the rule of law should press for the quashing of the guilty verdicts and the release of the detainees.

Yours sincerely,
MICHAEL BIRNBAUM
Temple
London, EC4
31 October

From Mr Tony Cunningham Sir: I was appalled to hear yesterday that the military government of Nigeria has sentenced five members of the Movement for the Survival of the Ogoni People (Mosop) to death.

Ken Saro-Wiwa and his colleagues from Mosop have been involved in a peaceful protest against the destructive way in which oil is being extracted from the Rivers State Province of Nigeria. Since oil was discovered on their land in the mid-Fifties, the Ogoni people in the province have witnessed an ecological nightmare of oil spills, pipelines

driven through farms and villages and brutal suppression of any protest.

Given the worsening situation in Nigeria, I have written to the European Commissioner responsible, Joao de Deus Pinheiro, asking for an urgent meeting. The overwhelming feeling within the European Parliament is that Nigeria should be suspended from the Lomé Convention and the second financial protocol should not apply. This would hit the Nigerian government extremely hard.

On top of this, we should find some way of providing financial support for community-based development through non-governmental organisations, by-passing the military dictatorship. We should also be providing support for pro-democratic groups within Nigeria.

In the past, perhaps, we in the European Parliament have been a little negative towards Nigeria. We must now work on positive steps to try to achieve the democratic Nigeria that we all want. Yours sincerely,
TONY CUNNINGHAM
MEP for Cumbria and Lancashire North (Lab)
Cockermouth, Cumbria
31 October
The writer is Labour spokesman on development issues in the European Parliament.

John Lloyd has forgotten his South African past

From Mr Paul Trehwala Sir: There is a single issue for the Labour Party and the electors in Exeter in the affairs of the Labour candidate, John Lloyd: has Mr Lloyd been candid with them? The point is: he was not candid, and still is not. Maritz van den Berg and Ron Press (Letters, 31 October) do not address this when they describe the campaign around Mr Lloyd as being "vindicative" and a "vendetta".

Last week, Mr Lloyd said he was not "a free agent" in his decision to give evidence against two friends in South Africa in 1964, one of whom was hanged, the other jailed for seven years ("I do not condone terrorism", *Independent* on Sunday, 29 October). This confirms his statement that he had turned state witness "under duress" ("Terrorism" returns to haunt candidate", 27 October). Mr Lloyd here confuses and conflates two distinct moral stages.

The first refers to information given to the secret police under torture. I do not know of anybody who was tortured then who did not make a statement of some kind as a result. Those of us who went to prison at that time never accused anyone of "betrayal" for giving information under torture.

Hand signals

From Mr Gerry Hanson Sir: The only problem with Peter Barnett's otherwise admirable suggestion of motorists signalling a gun towards the temple (Letters, 30 October) is that it can be misconstrued as meaning "you should be shot".

It must be remembered that enraged motorists do not always think rationally, and if a signal can be misinterpreted it often will be.

For our launch on 6 October of the campaign for courteous driving in co-operation with the RAC, we

considered the act to be morally neutral. It could not be judged. Full culpability lay on the South African state.

A radically different situation followed later. After interrogation under torture, every one of us who was later convicted and sent to prison had the prior option of turning state witness. In this situation, there was no physical duress.

We were free to choose, either to face the consequences of being convicted in court, or of giving evidence for the state against friends and colleagues.

It was a situation highly charged with moral choice and personal responsibility. Contrary to his most recent statements, it was a decision in which Mr Lloyd was indeed a free moral agent. Individuals might well feel they do not wish to judge Mr Lloyd for his actions in a far away country three decades ago, when he was a young man. The Labour Party and the electors in Exeter are, however, entitled to expect full and honest disclosure. Instead, Mr Lloyd continues to fudge. Do they feel he can be trusted as an MP to show sufficient moral courage over issues that may arise in the next Parliament?

Or is this no longer a matter of concern in New Labour? Yours sincerely,
PAUL TREHWALA
Aylesbury, Buckinghamshire

From Mrs Ann Wolfe Sir: John Lloyd gave evidence in court against his friends. The judge in the case against John Harris said of Mr Lloyd, "whether here or abroad he must sooner or later face his comrades".

In fact, John Lloyd has not had to face his "comrades". There has been no vindictive campaign against him, as alleged by Maritz van den Berg (Letters, 31 October). On the contrary, for 30 years Mr Lloyd has lived in peace and prosperity, it seems. It is only now, when he might become an MP, that his former "comrades" are trying to point out to the electorate and the Labour Party that the impression which appears to exist in Exeter that John Lloyd was a hero of the South African resistance is incorrect.

Maritz van den Berg is correct in stating that my late husband "confessed", but Mr van den Berg has forgotten that what he confessed to was manslaughter (which would have carried a life prison sentence). John Harris denied intending to kill, the nec-

essary ingredient of a murder conviction (which brought the death penalty). It was John Lloyd who gave that evidence which led to the court finding that John Harris had intended to kill.

I do not know the precise circumstances in which Mr Lloyd came to give that evidence. If he did so under great duress, I do not, of course, condemn him for his "human frailty".

However, having given evidence against his "comrades", Mr Lloyd was released and came to England to start a new life. We were advised by our lawyers at that time that if Mr Lloyd were to retract his evidence, there would be a significant chance that the death sentence would be commuted to life imprisonment. Accordingly, I sent a telegram to Mr Lloyd asking him to intervene, and a friend came from South Africa to England to bring that request in person. John Lloyd refused to help us. It is for that refusal that I think an explanation is now required.

Mr van den Berg is indeed correct that my late husband bore no grudge against John Lloyd. But he also believed that Mr Lloyd would, from the safety of England, retract his evidence. Yours faithfully,
ANN WOLFE
Nuerensdorf, Switzerland
31 October

Christmas chaos

From Mrs J. K. Thorne Sir: In cancelling Christmas (Diary, 31 October), the postgraduates of Newnham may not be aware of what they could be stirring.

In 1647, the Mayor of Canterbury, acting on a parliamentary decree, ordered that "Christmas Day and all other superstitious festivals should be put down" and that shops and markets should stay open. The 12 shops that did open were entered forcibly and their goods destroyed by Royalist supporters. Intense fighting followed

for several days in this politically divided city; barriers were erected and the Mayor, Sheriff and other citizens were assaulted.

Repercussions continued into the following year, and triggered off the trial of the "Keep Christmas Special" supporters. The serious rebellion which arose in Kent had to be put down by a large parliamentary army, led by General Fairfax. The gaps in the city wall caused by the ensuing battle can still be seen to this day. Yours,
JANE THORNE
Canterbury, Kent

Sad prophecy for failed school

From Mr Ray Hanks Sir: As a former pupil of Hackney Downs School ("Failed school to be shut down", 1 November), I remember well my last day there in September 1967. It was, arguably, the beginning of the end. With a few friends, I had called in to say goodbye to the staff before leaving for my "gap" year and on to university - then the destination for the vast majority of boys.

That was also the first day for the new "comprehensive" school in the newly constructed school building. Following the terrible fire in 1963, it had been told that nearly 100 years of tradition would be protected in the new era, but retaining grammar school status was not an option given the tidal progress towards non-selective education (and the finance needed to build the new school).

It was, however, all too obvious that the school would never be the same again. Gone were the mock Greek amphitheatre and the "fives" courts. Masters had already started to forsake their gowns. There would be no more detention for forgetting to wear the school cap.

We were assured, however, that "boys from across the whole community, regardless of ability, would now benefit from the school's proven high standards of teaching". Regrettably, this has not been so (leading article: "Orphans of a dead school", 1 November).

Arriving at school the day after the fire in 1963 was like a naive schoolboy's dream. Yet Alec Williams, the headmaster, was in tears. Perhaps he knew. Yours faithfully,
RAY HANKS
Baldock, Hertfordshire
1 November

The battle of Guy Fawkes

From Mr Roy Deane Sir: Last night, I stood on my doorstep and listened to the sound of a major gun-battle taking place in the streets around me. It has been the same every night for the past two or three weeks. I can close my eyes and imagine that I am in Sarajevo.

The truth is that I live in the East End of Newcastle and the "gunfire" is the incessant sound of fireworks being let off in the surrounding neighbourhood.

When will sanity prevail and the sale of these annoying and dangerous items be banned for ever? The ones I hear night after night are being bought not by responsible adults but by young hoodlums who go scuttling into the shadows as each new explosion echoes down the street.

If the Guy Fawkes farce must be preserved, let's make it licensed public displays only and prohibit the sale of fireworks to everyone else.

Yours sincerely,
ROY DEANE
Newcastle upon Tyne
30 October

Letters should be addressed to Letters to the Editor and include a daytime telephone number. (Fax: 0171-293 2056; e-mail: letters@independent.co.uk) Letters may be edited for length and clarity.

Why the minnows are making a splash

Small countries can thrive in the deregulated, hi-tech Nineties. Perhaps Quebec should have said 'Oui'

I could not help feeling a sense of disappointment at the failure of the separatists in Quebec to win the vote, and found myself wondering why. It was not because of any particular sympathy with their cause, still less a desire to see the break-up of an honourable and successful country. It was that it would have been tremendously interesting in both economic and cultural terms.

We would have seen a new Franco-phonie nation within the North American community. We would discover whether it was possible to run an efficient small country alongside one medium-sized and one giant one. Quebec would have been a Norway or a Denmark. Could it be as successful as those two nations undoubtedly are? Is the optimal size for a country much, much smaller than we suppose?

In cultural terms, we would learn whether an independent and different culture could flourish alongside the most powerful popular culture that the world has ever known, the United States. Would Quebec be swamped, or would its sheer difference become an aircraft carrier from which to launch a Francophone attack on the great North American market?

Anyway, the vision is delayed, so the experiment will have to wait. It seems a pity because the demerger of countries may become as important a feature of the way we organise the world as the end of colonialism and the collapse of Communism. Both those forces created a large number of "new" countries, but that was really only a by-product of the process. The instances of people in an established democracy choosing

to create a new and separate nation are rare indeed.

This may change. On any long historical view, the nation is a pretty ephemeral entity. True, some nations, such as England, have been around for hundreds of years, but most are recent creations. It is not difficult to see other places where the glue is weak: within Europe, Belgium and Italy could easily split, while Scotland is likely to have some new constitutional relationship with England within the next couple of decades.

It will change if the economic arguments in particular suggest that something has happened which has made small countries more efficient units than larger ones. In the commercial world, the tendency has been for companies at the top and the bottom of the size range to benefit at the expense of those in the middle. Could the same not happen for countries?

There seem to be a number of reasons why small countries, particularly those on the borders of very large ones, have tended to do rather well in recent years. Most of these are positive ones. They are able to obtain the advantages of access to a larger market without carrying the social costs that running a large country seems to entail. So Luxembourg and Switzerland can prosper on the back of a strong German market. Another is that they can use regulation, or rather deregulation, to their advantage. Hong Kong, the Channel Islands, Luxembourg (again), Monaco, the Republic of Ireland and Singapore have all in their different ways benefited from a nimble regulatory climate. (Singapore is not renowned for lack of regulation, but



HAMISH McRAE

Britain is a good example of a country that wastes energy on playing a world role

rather has used regulation positively to build up specific areas of excellence in, for example, financial services.)

There are also benefits of a negative nature, in that small countries are not obliged to carry the costs expected of larger nations. They do not need to devote attention to UN peacekeeping missions, which are expensive both in the time and, more important, the space of mind of the political leaders of more important countries. Britain is a good example of a country that wastes energy playing a world role instead of concentrating on its own self-interest. If we accepted that we were a medium-sized nation, we could fit our role to our resources. We would also stop being blamed for problems that have nothing to do with us.

Of course, there are examples of small countries that have saddled themselves with the overheads of larger ones and impoverished their

people as a result: the loss-making national airline, the string of expensive embassies in the nicer capitals of the world, the nationalised industries headed by members of the ruling family and their friends. But these are self-inflicted wounds and are incurred irrespective of size. They are not necessary conditions of smallness.

Many would argue that the best government in the world in terms of its economic management is New Zealand: it has pioneered what most central bankers believe to be the best practice in establishing the duties and responsibilities of a central bank within a democratic framework.

If the evidence of the recent past seems slightly in favour of the competitiveness of small nations – there is certainly no disadvantage, maybe some advantage to be small – there are also powerful reasons to suppose that the balance will tilt further. These include the further development of regional trading blocs, which guarantee access to the big market and will negotiate on behalf of the small nation; Nafta and the EU are the two main examples, but expect a trading bloc to develop around a greater China and expect, as a counterweight to that, closer ties across the Pacific between North America and the small East Asian "tigers".

Less obvious are the technological changes taking place in the world economy. Falling costs of telecommunications, in particular, make it practicable to deliver on-screen services from fringe locations, thus reducing the comparative advantage of countries at the core of a large economic region. In the past, it has been

easier to be a Luxembourg and benefit from physical location at the core of Western Europe. In the future it may be just as advantageous to be a Bermuda, for building up an international insurance business merely needs a favourable tax regime and good telephone and airline connections.

Beyond this, an independent cultural identity seems to be becoming a more important economic asset. In a world where manufacturing technology crosses national boundaries in a matter of weeks, the comparative advantage of making things becomes harder and harder to retain. Other countries with lower wage rates can imitate too fast. But a country's culture is unique to it. It cannot be reverse engineered.

Ireland and Scotland both have powerful cultures which are attractive to the rest of the world. But Ireland has been able to trade off this base more effectively, by giving special incentives to film-makers and authors – something which Scotland, bound into the UK tax system, is unable to do. And it is not just tax nationhood reinforcing cultural identity.

And so it would have been – I expect eventually will be – for Quebec. When that happens, expect its cultural industries, such as tourism and the arts, to flourish in a way they could never do with Quebec as part of another country. The separatists have made a deal of noise in recent weeks, but the noise has been directed negatively, against the rest of Canada. Imagine instead that energy, that different voice, being directed positively towards the whole of North America. It would make that continent feel a different and surely more interesting place.

Prescribe me a poem, Dr Keats

I want to ask the question about John Keats today that no one else has ever asked: why is he called John Keats and not Dr John Keats or plain Dr Keats?

He was, after all, a medical gentleman. He had not, I think, finished his training, but I know many doctors who are called doctor who have not yet finished their training, and no one looks askance at them.

The fact of the matter is that it would never occur to us to address John Keats as Dr Keats unless he had come round to see how we were and whether we should go on taking those little blue pills. The British quite like addressing doctors as doctor when they are being doctors. They do not much like calling them doctor if they are doing something else, like playing golf or writing or appearing on quiz shows. They certainly do not like calling them doctor if they just write poetry.

Mark you, doctoring and writing do go quite closely together. You can think off-hand of many writers who trained as doctors and then went on to better-paid things. Even I can think of one or two. The one who springs immediately to mind is Somerset Maugham, who studied medicine at St Thomas's Hospital and, I believe, used the experience gained there to write his first novel, *Liza of Lambeth*, and to get enough money from it to drop the risky life of a doctor and adopt the risky life of a writer. But was he at any point in his writing career addressed as "Dr Maugham"? I doubt it. Did he take the pulse of rich and famous guests at his home in the South of France? I doubt it.

There was a time when you could not scratch a cabaret group or comedy group without finding at least one trained doctor in there. Jonathan Miller in *Beyond the Fringe*, Graham Chapman in *Monty Python*, Graeme Garden in the *Goodies*. All of Instant Sunshine. All of Beetles and Buckman. But not one of them was ever referred to by their medical qualifications. Among today's new comedians the only doctor I can think of off-hand is Harry Hill, but nobody ever called him Dr Hill on air. It was different in the old days. You started out as Dr Hill, the radio doctor, and ended up as Lord Hill, the government stooge in charge of the BBC.

Having scratched my brains for a long time, I can think of no poet who has ever adopted the title doctor except Dr Seuss, writer of such children's books as *The Cat in the Hat* (and I have no idea if he is a real doctor or even a real Seuss) and, of course, Dr Johnson, who was not a doctor in the medical sense either, only in the sense of having acquired a doctorate.

It is only when you get into music that you start finding quantities of doctors and then they are generally just docs, not doctors. There are two jazz trumpeters called Doc Cheatham and Doc Severinsen, and I haven't managed to find a connection between them and medicine, nor do I think they have any doctorates between them. There was the songwriter Doc Pomus, and the singer/pianist Dr John, and the famous gun-fighter Doc Holliday.

I read a life of Doc Holliday once. It was a bit like reading a life of Henry Purcell. A lot was known about his times but nothing much about the man himself. All that really came out about Doc Holliday was that he had received some medical training, probably as a dentist, that he drank a lot and that he was not much of a shot. But it was enough to get him the nickname of "Doc", and I suppose that wherever he moved in the Wild West, people edged up



MILES KINGSTON

to him at parties and said: "Doc Holliday? You a doctor?" I wonder if you'd take a quick look at my shoulder. I think I may have a bullet in it." And Doc Holliday would say, "I'm sorry, I'm off-duty at the moment," and the man would say, "If you don't look at my shoulder, I'll shoot you."

That is the trouble with being called doctor. If it gets out that you are called doctor for medical reasons, people think you are interested in curing them. That is why the average sensible doctor tries to keep his qualifications out of sight. And that is why, I now realise, almost everyone who is called doctor, or who allows himself to be called doctor, is not medically qualified to be a doctor at all, and the real doctors leave their rank in the cloakroom.

In politics, for example, David Owen was a proper doctor but he kept quiet about that. Dr Ian Paisley and Dr Brian Marlin, on the other hand, like being called doctor but I would not call either of them to my bedside if I were dying. Nor if I were trying to form a political party, but that is another matter.

So there you have it. That is why John Keats was never called Dr Keats. He did not want Byron or Shelley coming up to him at parties and asking him to look at their shoulders. Next question, please.

MPs have it within their grasp to restore public confidence. But some Tories just fail to comprehend

A House of better repute



ANDREW MARR
Columnist of the Year

The source of Parliament's authority is not the monarchy nor its long history, nor the settlement of 1688, but its acceptance by the people. A despised Commons becomes a disregarded, demoralised Commons, encroached upon by rival power centres. You cannot have a strong parliamentary democracy in which parliamentary politics is reckoned filthy stuff.

This is why the unsavoury revelations of recent years and the sleaze mania were such a bad business, good for newspaper sales but awful for Westminster. It's why the attempt by the Nolan committee and now MPs to clean up the palace is not trivial, or irritating, but central.

Now the Select Committee on standards in public life, by proposing a blanket ban on paid advocacy, has done a lot to clear up the miasma of suspicion. Despite the row over whether or not MPs' earnings from some sources should be published, this is a tough report. Its proposed ban on paid advocacy is strongly worded. Life inside the village will change as a result.

The key question is whether that inside change will be enough to wipe out the outside impression of MPs on the make. And that depends on whether it works, whether it is actually possible to ban paid advocacy in the Commons.

The place is a closed and gossipy club, a seething influence market beyond public view. Advocacy is what MPs are for. It is what they are good at. As the committee recommends, certain formal kinds of advocacy can be stopped – the mechanical actions of putting down questions, tabling motions, preparing private members' bills, and so on. You can control, up to a point, what they say in a committee or on the floor of the House, where the journalists are watching.

But to hope to ban MPs speaking for certain interests in this warren of private members' corridors seems like trying to outlaw eye-contact by a university campus. No regulation, policed by a commissioner, can lay down what is said over pudding at Rules restaurant, or determine how a conversation between friends goes in a minister's room. It is on this issue of how MPs behave outside the House that the report is weakest. And anyway, the line between innocent inquiry and advocacy is too subtle for a rule book.

This is not to challenge the usefulness of the proposed ban. It will have a cultural effect. The prohibition of acts of vice in public helps change the attitude to such acts in private. MPs will now be self-conscious about making suggestions or fixing meetings which they had convinced themselves were fine. Ministers, discussing the week ahead with their private offices, may find themselves



Can they clean up their act?

uneasily asking whether the Member for Cosgrave isn't paid by London Roads plc. We should never underestimate the power of embarrassment. MPs look one another in the eye, like the rest of us.

This may be enough. But we are talking about money and influence here. They tend to trump bashfulness. It is all too possible that paid advocacy will shrink deeper into the shadows. The particular mood that gave rise to this tough-sounding report will pass, and be forgotten. And then one day, sure as bad eggs are bad eggs, another scandal will crack open and reek. Acknowledging that the committee has gone a long way in trying to remedy matters, it is right to be sceptical about the advocacy ban; and that leaves us with the most controversial proposal from Nolan, that MPs' earnings from sources directly related to their parliamentary work should be published.

Quite right. The old High Horse is snorting and pawing the ground. But before saddling her up, there are some strong arguments against disclosure to be addressed.

First there is the inequity of exposing the finances of some MPs and not others. The Hon Boggins, with no private income and five children, may be pilloried in his local constituency for taking £5,000 from the Mobile Telephone Association, while Sir Bilbo Baggins, a multi-millionaire landowner in the next seat, reveals none of his private income because it isn't related to his membership of the Commons.

Second, there is the difficult question of what is relevant to parliamentary work and what isn't. Barristers have an interest in certain law reforms which might be more direct than the interest of MPs with paid consultancies. As the Nolan proposals stand, QC's wouldn't have to declare their earnings.

Third, there is the mixed issue of invasion of privacy and that much underrated national pastime, the politics of envy. As disclosure of income spreads, we could face a political argument which was more about individuals' tax returns than national policies. What would that do for the

tone of debate? People who already fear that going into public life will mean the exposure of every sexual experiment they've ever indulged in would also have to ask themselves whether they wanted their neighbours to know the details of their bank accounts.

These three objections to disclosure of MPs' earnings aren't merely the discharge of guilty minds. But nor are they insuperable. However unjust some of the effects may be, there is a moral case for saying that payments to MPs made because they are MPs are in a different category from other forms of wealth or income.

The problem of intrusion should be dealt with by a general privacy law that clearly separates private sexual conduct from financial matters. Above all, the issue of MPs' and ministers' pay should be faced honestly. MPs are well-paid by the standards of non-London, non-AB Britain. But so long as one can come across a knot of people, including a cabinet minister, a few journalists, an obscure lawyer, a middle-ranking company professional and a successful academic, and find the cabinet minister is by far the lowest-paid, then the case for higher political salaries is a strong one.

The surrounding thicket of reforms on privacy and salaries that would make disclosure of MPs' earnings wholly fair will not happen this side of an election. The grubbier demands of the party battle intervene. Labour, hardly surprisingly, will play this game hard. But it is now time for Conservative doubters, in the higher interest, to be a little unfair on themselves.

Conservatives can hardly come out of this well. It is already plain, however, that some are determined to come out of it as badly as possible. Whatever the denials, Government whips are helping to harden Tory ranks against Monday's vote on disclosure of payments.

If they succeed, the Conservatives will be pilloried by the Opposition from now until the election as greedy, brown-nosed cowards. Voters, used to a diet of sleaze in the Press, will believe the worst.

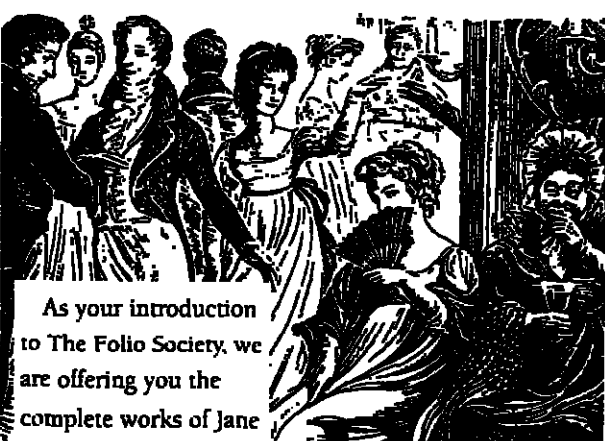
That so many Tories simply don't seem to understand what a gift they are handing Labour just defies belief. Maybe it shows how out of touch they are. Maybe they need the money so desperately that the politics don't matter to them. But the main losers will be their own party and the Parliament they are so proud to represent.

Far shrewder are those Tories who are preparing to jump ship and vote with the Opposition. Often from marginal seats, they know what their voters want. It's true that if disclosure is voted through, Labour will be publishing details of Tory MPs' earnings. But if MPs are taking money that they would rather their electorates didn't know about, then that's their problem.

Conservatives have the weekend to make up their minds about what matters most – a few thousand quid in private consultancy fees or the chance to restore their collective reputation. For people of imagination who understand how low the Commons has fallen in public affection, there is really no choice. Yesterday was a good day for Westminster; they have it in their power to make Monday a splendid one.

by Tony Reeve and Steve Way

Generation Why



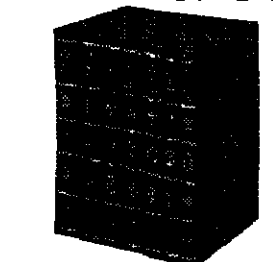
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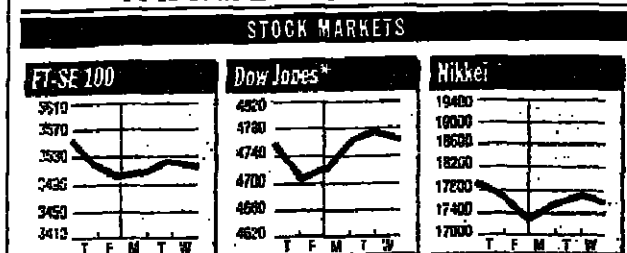
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MARKET SUMMARY



Index	Close	Day's change	Change(%)	12 Mth High	12 Mth Low	Yield(%)
FTSE 100	3518.7	-10.4	-0.3	3503.0	2943.4	4.0
FTSE 250	3888.5	-5.8	-0.1	3991.3	3300.9	3.6
FTSE 350	1751.3	-4.6	-0.3	1785.3	1477.0	3.9
FT Small Cap	1934.9	-5.6	-0.3	1993.1	1678.8	3.4
FT All-Share	1729.6	-4.6	-0.3	1782.8	1485.2	3.9
New York	4754.8	-0.7	-0.0	4802.5	3674.6	2.4
Tokyo	17474.5	-180.2	-1.0	19811.6	14485.4	0.8
Hong Kong	9782.4	closed	-	10032.9	6967.9	3.3
Frankfurt	2163.2	-4.68	-0.2	2317.0	1911.0	2.0
Paris	1874.0	closed	-	2017.3	1721.1	3.7
Madrid	9346.0	closed	-	10911.0	8912.0	2.7

*Data from 1400 hours. New York graph at 1300 hours

MAIN PRICE CHANGES

Rises	Falls
Refuge Group 428 20 4.9	Bard (William) 205 13 6.0
Prudential Group 414 18 4.6	Euromoney Ltd 90 5 5.3
Slough Estates 204 8 4.1	Sainsbury Ltd 403 21 5.0
BET 129.5 3.5 2.8	Incipac 298 15 4.8
Lucas Industries 197 5 2.6	Nth In Electricity 448 17 3.7

INTEREST RATES

Short sterling	UK medium gilt	US long bond
0.50 4.40 2.25	4.40 2.25	7.10 2.25
0.75 4.30 2.10	4.30 2.10	6.90 2.10
1.00 4.20 2.00	4.20 2.00	6.80 2.00
1.25 4.10 1.90	4.10 1.90	6.70 1.90
1.50 4.00 1.80	4.00 1.80	6.60 1.80
1.75 3.90 1.70	3.90 1.70	6.50 1.70
2.00 3.80 1.60	3.80 1.60	6.40 1.60
2.25 3.70 1.50	3.70 1.50	6.30 1.50
2.50 3.60 1.40	3.60 1.40	6.20 1.40
2.75 3.50 1.30	3.50 1.30	6.10 1.30
3.00 3.40 1.20	3.40 1.20	6.00 1.20

Money Market Rates

Index	1 Month	1 Year	Medium Term (%)	Year Ago	Long Bond	(%) Year Ago
UK	6.69	6.72	7.95	8.68	8.13	8.49
US	5.75	5.72	6.01	7.90	6.33	8.06
Japan	0.34	0.38	2.95	4.61	3.62	5.00
Germany	4.00	4.06	6.48	7.62	7.17	6.02

*Reserve Bank of England

CURRENCIES

£/\$	£/DM	£/¥
1.59 2.38 162.0	2.38 162.0	162.0 162.0
1.55 2.37 161.0	2.37 161.0	161.0 161.0
1.52 2.35 160.0	2.35 160.0	160.0 160.0
1.49 2.33 159.0	2.33 159.0	159.0 159.0
1.46 2.31 158.0	2.31 158.0	158.0 158.0
1.43 2.29 157.0	2.29 157.0	157.0 157.0
1.40 2.27 156.0	2.27 156.0	156.0 156.0
1.37 2.25 155.0	2.25 155.0	155.0 155.0
1.34 2.23 154.0	2.23 154.0	154.0 154.0
1.31 2.21 153.0	2.21 153.0	153.0 153.0
1.28 2.19 152.0	2.19 152.0	152.0 152.0
1.25 2.17 151.0	2.17 151.0	151.0 151.0

Pound Yesterday Change Year Ago

	Yesterday	Change	Year Ago		Yesterday	Change	Year Ago
\$ (London)	1.5780	-0.18c	1.6347	£ (London)	0.6330	+0.07	0.6117
\$ (N York)**	1.5795	-0.10c	1.6362	£ (N York)	0.6331	+0.04	—
DM (London)	2.2281	+0.51pt	2.4510	DM (London)	1.4185	+1.10pt	1.4984
¥en (London)	162.73	+¥0.27	158.16	¥en (London)	103.09	+¥0.87	96.75
£ Index	84.2	+0.2	89.7	£ Index	92.9	-0.1	92.9

**New York rates and DM Breast December at 1600 hours



The company has stood by and allowed its rivals to capture the imagination of shoppers with a series of initiatives

The wheels on Sainsbury's trolley look jammed

For a business that styles itself as "every one's favourite ingredient" Sainsbury's is not looking particularly unappetising these days. The supermarket battle continues to drift Tesco's way and try as David Sainsbury might, he appears unable to wrest the initiative back. While Tesco is on a roll the wheels on Sainsbury's trolley seem to have jammed.

Yesterday's figures spoke volumes. Profits over the half year were more or less static and are forecast to rise by a paltry one per cent over the full year. This is miserable stuff compared to the 10-20 per cent profits growth the company has enjoyed over the last 10 years. The great profits engine seems to have stalled. Sainsbury's problems centre not so much on mistakes, but inaction. It has stood by and allowed rivals to capture the imagination of shoppers with a series of initiatives.

Tesco has been prepared to accept lower margins to grow sales. It is experimenting with derivative formats such as the Tesco Metro and has launched the first loyalty card, which has already signed up seven million customers. Asda has attacked price maintenance agreements on books, magazines and medicines and is even backing the two minute silence on Armistice Day. Archie Norman has been wheeled out as the consumer's champion.

Sainsbury's marketing efforts look pretty tame by comparison. It has tried to re-assert its higher quality, better service proposition

— only to find the real battle returning to price. Recent initiatives such as mini-trolleys for children and wider car parking spaces have failed to capture the imagination. Its marketing has lacked Tesco's flair and the company's appointment of a new, younger, marketing director last week, appears to recognise as much.

More changes to its somewhat lumbering structure may be needed. Tesco has been driven over the last two years essentially by just two directors, backed up by chairman Sir Ian McLaurin. The system is fast and efficient. By comparison, Sainsbury's has 12 executive directors, four non-executives, plus 44 departmental directors who participate in a web of committees that implement board policy. A pruning seems overdue. There is no whiff of crisis yet at Sainsbury's Stamford Street headquarters. The company is bigger than Tesco, more profitable and remains one of the country's most highly regarded retailers. But it needs to recover its pace and edge — fast.

The Chancellor can expect little mercy

Capital expenditure is almost always the first victim of an organisation looking for cuts and the Government is no exception. Even under plans already published, a 10 per cent real fall in public investment is envisaged for the two years to April 1997.

If the purported leaks of the present spending round turn out to be correct, those cuts are now going to be made even deeper, with what is left of an already emasculated road building programme the chief casualty. However much the Chancellor might protest that a reinforced private finance initiative can substitute for such expenditure, everyone knows that as far as road building is concerned, this is just so much tosh.

There are four road building schemes presently out to tender under the Government's design, build, finance and operate programme, but little sign of any progress being made in actually letting these schemes. If this is the future for road building in Britain, then the already beleaguered contracting and engineering sector might as well close down for good.

But this is only half the problem with private sector roads. The second is that they are not really private sector at all: funded via "shadow tolls" they are eventually paid for by the exchequer. There is a degree of risk for the private sector in that if road usage fails to live up to expectations, then it is the road builder that bears the cost. In essence, however, the Government ends up paying. The only difference is that it pays over a period of time rather than up front in one go.

Furthermore, this is ultimately a more expensive form of road building since the cost of capital to the private sector is invariably more than to the public sector. If this

is how the Chancellor plans to fulfill the Government's tax cutting pledges — with mirrors — he can expect little mercy from the markets, or from the businesses fighting hard to protect what is left of Britain's public infrastructure spending.

The rising price of peace at Lloyd's

Nothing at Lloyd's was ever meant to be simple. While the victorious Names in the landmark Merrett High Court case are cheering the prospect of winning damages covering a good portion of their losses, there are probably as many Names fretting about how they will have to find more money to foot the bill. For if ever there were living proof of the old adage, that for every winner there is a loser, then Lloyd's is it.

The deep-pocketed auditors — cast for the first time as a result of the Merrett judgement into the same malodorous company as other Lloyd's negligents and reprobates — will probably have to pay the lion's share of the damages, which could amount to over £200m.

But Ernst and Young, the auditors in this case, have professional insurance against such losses, much of which, surprise, surprise, is written at Lloyd's. Even the victorious Merrett Names may as a result end up paying a part of their own damages award.

But there is a more significant complication inherent in the Merrett judgement than this left hand taking what the right hand gives. Those hailing the victory over the auditors as a big boost for the prospects of a global settlement for Lloyd's woes are in danger of forgetting the never-so-simple rule. Certainly, the Merrett judgement will dramatically increase the pressure on the auditors, not just Ernst & Young, to support Lloyd's attempts to negotiate a full cessation of litigation hostilities. They would do so by adding their riches to the £2.8bn credit and debt forgiveness already on offer from Lloyd's to induce Names to sue for peace. The auditors are the only factor not yet properly included in the Lloyd's rescue equation. With their resources, they could make a big difference to the amount on offer to Names.

The difficulty is that the Merrett judgement is just as likely to have raised the costs of any peace deal. The landing of the auditors in the net, and the devastating criticism of Stephen Merrett himself, until recently an eminent member of the Lloyd's establishment, can only have raised Names' expectations of what can be achieved by litigation. John Mays — the triumphant chairman of the Merrett action group — conceded as much by saying many Names could conclude that more is to be won by fighting on. After Merrett, there is likely to be more money on offer for Names. But the price of peace has probably gone up too.

Orange lays out £1.2bn network phone plan

MARY FAGAN
Industrial Correspondent

Hutchison Telecommunications UK, which runs the Orange mobile telephone network, has launched a £1.2bn debt-financing programme to fund the completion of its network. The company, which City analysts expect to seek a stock market listing next year, also plans to repay loans from its parents, British Aerospace and Hutchison Whampoa of Hong Kong. The credit facility is underwritten by Chase Investment Bank and JP Morgan Securities. It will be launched into general syndication in mid-November. The announcement coincided with a statement by Cambridge-based Ionica that it would launch a national telephone service in phases from March, in competition with BT.

Graham Howe, finance director of Hutchison Telecom UK, said: "With the rapid and successful growth of Orange... HKUT is now in a position to raise long-term debt on attractive terms to finance the completion of the network." He said talk of flotation is "speculation", but added: "We will complete the debt-financing and then consider our position."

The investment in the company has been about £900m so far, provided by BAE and Hutchison Whampoa according to their respective equity stakes. Mr Howe said that BAE, which has 32 per cent, is "in for the long haul", in spite of speculation that it would like to sell its share. The mobile company is expected by analysts to break even in 1997 at the operational level, by which time the Orange network will cover more than 95 per cent of the population.

Orange, which was launched 18 months ago in competition with Vodafone, Cellnet and Mercury One2One, has 300,000 subscribers and is connecting

more than 30,000 each month. Mr Howe said that Orange has an annual "churn" — the rate at which people leave the network — of about 17 per cent. The industry average is thought to be about 20 to 25 per cent.

The mobile telephone market continues to boom with the total number of UK subscribers expected to reach 12 million or more by the end of the decade, compared with five million today. The networks being built by Orange and One2One are entirely based on new digital technology, which offers better quality than the analogue technology originally used by Cellnet and Vodafone, which still dominate the market. Vodafone and Cellnet now also offer digital services but Orange claims to have taken as much as 30 per cent of the total new digital business in September.

Mercury One2One, launched two years ago by Cable & Wireless and US West, recently abandoned free off-peak local calls for all new customers — an initiative which had taken the industry by storm. Under new tariffs introduced in September, free local calls are still available but only at weekends.

One2One has refused to say how many of its 20 million calls each week were paid-for calls, until the initiative ended in September. The company has more than 300,000 customers, of which 4 per cent had been using the service almost exclusively for free calls.

In its announcement yesterday, Ionica promised to challenge BT on service and price, when it launched its national telephone service. The company, which plans a stock market flotation by the end of next year, uses its own exchanges and provides radio links into the home. It can then offer national and international services using the fixed links of companies, including BT and Mercury.

Forsyth charges: Lawyers for former Asil Nadir aide seeking disclosure of documents to help defence



Elizabeth Forsyth: key role in managing Nadir assets

Photograph: Peter Macdiarmid

Legal spotlight returns to Polly Peck case

DAVID HELIJER

The Polly Peck saga returns to the British courts today when prosecution and defence lawyers are set to argue over whether more documents should be disclosed to lawyers representing Elizabeth Forsyth, a former aide of Asil Nadir.

Mrs Forsyth has been charged on two counts of handling stolen cash, worth nearly £400,000, in 1989. She used to head up South Audley Management, the company that managed Mr Nadir's personal assets. She went to live in northern Cyprus after the collapse of Polly Peck but returned to face police questioning in September 1994.

The defence is seeking two sets of documents, in particular. The first relates to the SFO raid on South Audley Management, which precipitated

the collapse of the Polly Peck empire. The defence wants to get hold of minutes of a meeting said to have been held before the raid, at which representatives from the SFO, the Department of Trade and Industry and the Metropolitan Police were present.

The second set of documents relate to internal disciplinary proceedings taken by the SFO against Lorna Harris, the former Polly Peck case-controller, who is now on secondment. Ms Harris was suspended after the Attorney-General admitted in 1993 that the SFO had mistakenly opened documents sealed by Mr Nadir's defence, and then handed them to the prosecution.

The prosecution has queried the relevance of some of the documents sought by the defence and disclosure of some

material could also be objected to on the grounds that it is against the public interest.

In correspondence with the defence, Robert Wardle, the current case-controller, has argued that "it is not clear how the results of any internal disciplinary proceedings could affect an issue, or possible issue in the trial, of the indictment against Mrs Forsyth. I have consulted counsel who shares this view. If you are able to indicate what relevance it has, or may have... then I will consider the matter further."

The SFO said yesterday that it would be inappropriate to comment on the issues ahead of today's preparatory hearing being held at the Royal Courts of Justice in London.

Polly Peck collapsed in 1990 and Mrs Forsyth was first questioned by the SFO in January 1991.

Clarke rethinks share-option tax

PETER RODGERS
Business Editor

A second government climb-down on the taxation of share options is on the cards following heavy lobbying by the Institute of Directors, the CBI and Tory MPs.

Kenneth Clarke, the Chancellor, is considering proposals for the Budget which, if accepted, would mark a renewed retreat from the outright ban he announced in the summer on capital gains tax relief for executive share options.

The first retreat, within days of the original decision, was to drop the idea of making the tax bite retrospectively.

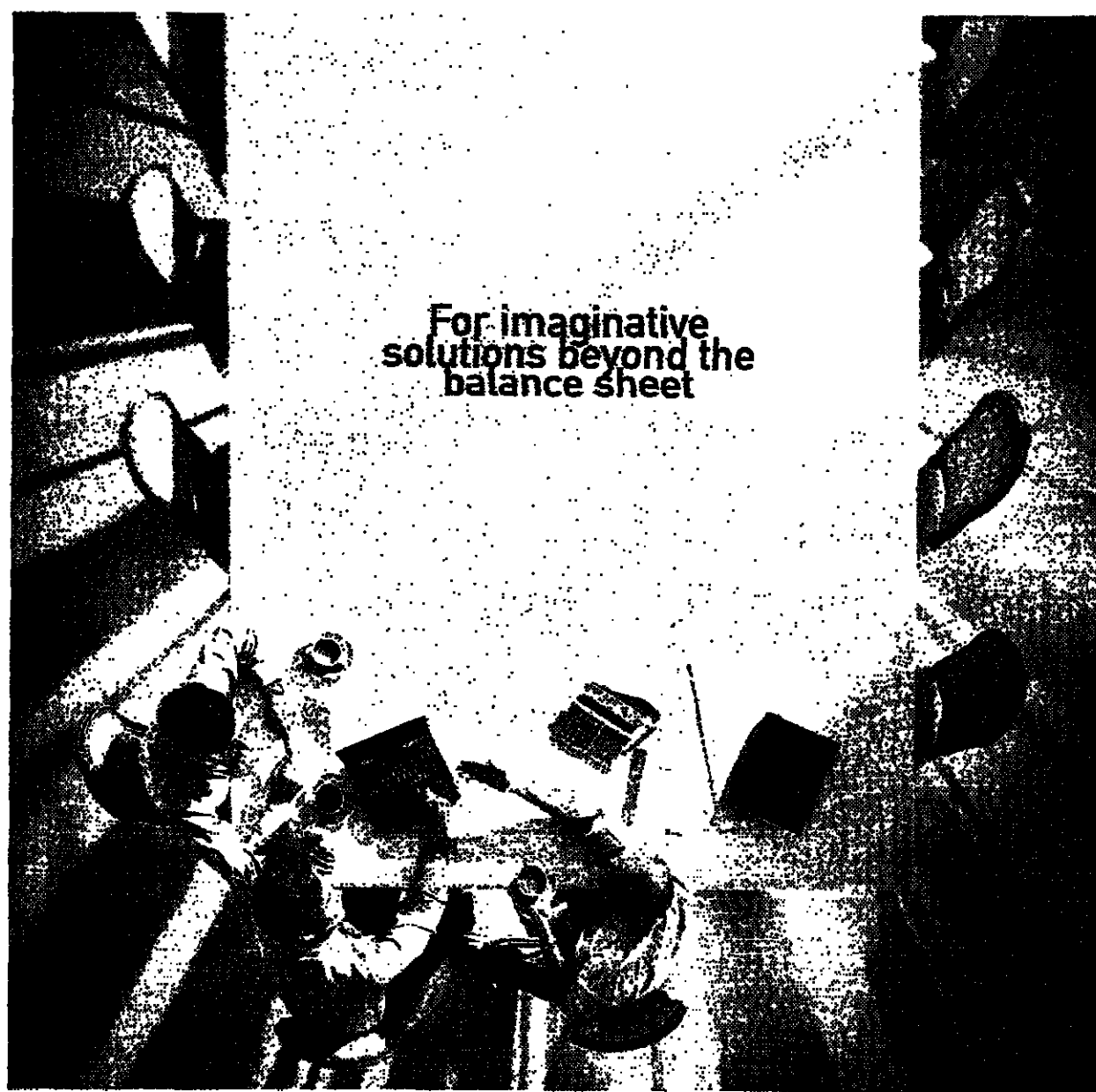
It emerged yesterday that the IoD, whose president is the former Tory cabinet minister Lord Young, saw Mr Clarke last week to press for a restoration of CGT relief for share options up to a fixed ceiling. This would be to the value of £40,000 or the

employee's salary, whichever is the less.

The CBI has also written to Mr Clarke with a less ambitious proposal to amend the terms of the new treatment of share option profits, now subject to income tax at the time of exercise. The CBI wants the profits taxed only when shares are sold, to encourage employees to hold on to their shares.

Mr Clarke insisted in the summer that the entire profit should be taxed on exercise of the options, whether or not some of the shares are kept. The CBI proposal to delay the tax is also part of the IoD submission and both sets of changes are believed to be under serious consideration by the Treasury.

Lord Young was not part of the IoD delegation which met the Chancellor, which was led by Tim Melville-Ross, the IoD director general, who was a member of the Greenbury Committee on executive pay.



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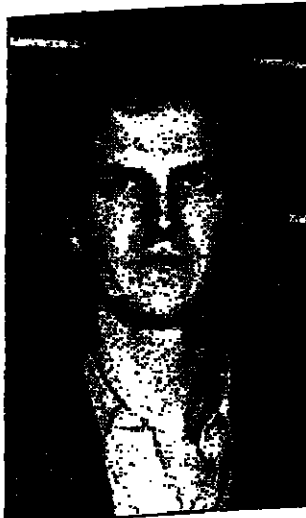
UKTV to drop judicial review

MATHEW HORSMAN
Media Editor

UKTV, the rejected high bidder in the controversial auction for Channel 5, has thrown in the towel. It announced yesterday it would not seek judicial review of the decision, having taken legal counsel on the issue.

But Virgin TV, a rival bidder that rejected on the grounds that its proposed programming failed the quality threshold established by the Independent Television Commission, was still reviewing its options last night. Robert Devereux, its chief executive, was scheduled to meet legal counsel again on Monday, with other consortium partners.

It is understood that the consortium, which bid £22m for the 10-year terrestrial licence, has identified several points in the ITC decision that it believes to be inaccurate or inconsistent. A formal rebuttal will be published early next week. In what it will call its "biggest complaint", Virgin TV is understood to be concerned that



Fighting: Robert Devereux, Virgin TV chief executive

other bidding groups received an opportunity to clarify contentious points, and will ask why the ITC did not ask for clarification on key issues prior to failing the bid.

More specifically, Virgin TV is concerned about criticisms of its news coverage, which the ITC deemed to be inadequately

resourced and supervised. Virgin TV will respond that it offered a staff of 25 dedicated staff, five for each shift, and that Reuters would provide supervision, working closely with the relevant Virgin TV news editor.

On supply of programming, Virgin, backed by ITV company HTV, Associated Newspapers, Paramount and other partners, argues that ITC criticism of the number of independent suppliers it had lined up was "inaccurate".

Virgin TV will claim that it secured 41 suppliers, compared with 39 at winning consortium Channel 5 Broadcasting, led by Pearson and M&A.

The consortium is also concerned about ITC's criticisms of its plans to repeat programmes in the week, claiming that Virgin TV would produce just as many cuts of original drama as the winning consortium, but had chosen to repeat the material rather than to fill the screen with old series from the BBC and other suppliers.

On diversity of programming, signalled by the ITC as

one reason for failing the bid, the consortium is expected to be particularly blunt. In response to criticisms that it had scheduled no factual programming in peak viewing hours, it will claim that the invitation to apply for the licence contained no such requirement, and will ask whether the ITC is changing the rules as it goes along.

A final decision on whether to proceed with legal action will be taken on Monday.

UKTV, meanwhile, also criticised the ITC's decision, and was particularly blunt in responding to the commission's concerns about the "ability of UKTV to secure sufficient programming of high quality".

The consortium said: "The ITC's view of [the work of its suppliers] is not only dismissive but ignores some of the most creative and successful producers in British broadcasting."

But in a conciliatory tone, UKTV's key backer, the Canadian broadcaster CanWest, confirmed it had intentions of expanding into the UK broadcasting market.

business

THE INVESTMENT COLUMN

Edited by TOM STEVENSON

When acquisitions make better BET

BET's shareholders have seen scant reward for their patience since John Clark, chief executive, started his shake-up of the sprawling towel hire to distribution conglomerate in April 1991. After initial enthusiasm, the intervening period has seen the stock market by 46 per cent, despite a crash diet to rectify the excesses of a 1980s spending binge. Now BET has returned to the acquisition trail, investors must hope sentiment will improve.

Yesterday's interims represented a good start. "Clean" pre-tax profits climbed 26 per cent to £65.9m, well ahead of expectations, hence a 3.5p rise in the share price to 129.5p yesterday. Inflated by the £86m spent on acquisitions so far this year, gearing has jumped to 38 per cent from 6 per cent in September. But worries about this new rise in debt look of the mark. Three-quarters of the planned acquisition programme for this year is complete and further disposals should see gearing back down to around 25 per cent by year-end.

The good news in the figures came in group margins raised a full point to 7.6 per cent. Cost-cutting has helped, but there were also encouraging signs that BET is managing to push through modest price rises in certain areas.

One of them, US plant hire, has been buoyant for some time. It dipped in £16.6m of the £27m operating contribution from plant services, up 29 per cent on the comparable period. BET believes there are two more years of growth to come in the US, while diversification away from UK construction should help protect it here.

Management's confidence about US distribution, another area where BET saw price increases, may be less well placed, given the cyclical nature of the chemical industry. Deregulation and lower demand from chemical companies in the US pulled the divisional result down from £15.7m to £13m, the only one of BET's four business groups to report lower profits.

Mr Clark's aim of eventually dragging margins into double figures would be buttressed by a few more acquisitions like Style, the conference and training business for which BET paid £70m earlier this year. It chipped in £3.3m to operating profits, a 34 per cent return on sales. But the group remains lumbered with some pretty low-margin operations like office cleaning and still needs to build dominance in certain areas.

Profits of £135m in the full year

Cheers not tears for Whitbread

Many a company has tried to diversify away from a dull core business, but for most the move into unfamiliar areas ends in tears. Not so Whitbread, the former brewer, for whom traditional beer sales contributed less than a fifth of group operating profits in the six months to August.

Whitbread has successfully made the transition from brewing beer to becoming a fully fledged leisure company. Managed pubs, which include the Brewers Fayre brand, are still the biggest profit earner, but the addition of the recently acquired Marriott hotels and David Lloyd Leisure company will soon push restaurants and leisure into the top slot. The success of the strategic shift was underlined in interim profits which showed impres-

sive mid-teens growth from managed pubs, restaurants and hotels, more than making up for only flat profits from tenancies and beer sales as vicious price competition in the off-trade continued. Pre-tax profits climbed 9 per cent to £155.7m (£143.1m), allowing an 8 per cent dividend increase to 5.75p (5.35p).

Those figures were right at the top end of expectations and Whitbread's shares moved accordingly, closing 9p higher at 629p as the market took the view that the company's financial strength, cash generation and strong brands merited a premium rating.

Certainly pushing sales 8.5 per cent ahead against a backdrop of extreme consumer caution was an impressive performance. The managed pubs managed 11 per cent turnover growth compared with a 7 per cent average for the sector, beer volumes were up 3 per cent while the on-trade as a whole fell. Whitbread's market share rose from 13.2 per cent to 13.9 per cent and the improvement in hotel room yields was noticeably better than the competition.

Encouragingly, heavy capital expenditure, at a rate of almost four times depreciation, continues to provide new profit streams for the future. Stripping out that growth spend and the cost of buying new businesses, underlying cashflow in the half was a useful £58m, about the same as last year.

Profit forecasts of £282m for the year to February 1996 and £315m the following year, put the shares on a prospective price/earnings ratio of 15 falling to 13. Whitbread won't set a portfolio alight, but as an extremely well-managed company with increasingly strong market positions it is a very safe investment.

Betterware turns the corner

Betterware, the door-to-door sales group, has recovered a modicum of its former poise this year following last year's problems. Those saw 1994 profits crash from £14.1m to just £1m, including a £5.1m exceptional charge.

Chairman Andrew Cohen's confidence in April that the company had seen the worst seems to have been borne out by yesterday's interim figures. Pre-tax profits crept ahead from £3.7m to £4.08m in the 28 weeks to 9 September, with the half-way dividend held at 0.85p. Although unexciting, the news suggests that Betterware has turned the corner.

The chief problem last time was the loss of over 1,000 part-time door-to-door sales staff following the calamitous start of a new Birmingham warehouse in 1994. At 10,000, the sales army is still well short of its peak of 11,500, but Mr Cohen says they only need to recruit another 500 to regain last year's lost ground. Meanwhile, single-digit percentage growth in the UK in the first eight weeks of the second half gives grounds for optimism about the full year.

A further lift to future results would come from completion of current negotiations to dispose of the three non-core businesses – principally the Geeco garden products subsidiary. Removal of the loss-makers, which saw their combined deficit mount from £405,000 to £475,000 in the half-year, would give an immediate bounce to profits and add to Betterware's cash pile of close to £8m. But any real excitement is likely to come from Europe. France saw sales and profits rise 40 per cent and accounts for 10 per cent of the group, although activities in Spain and Germany have been put on the back-burner.

Full-year profits of £8m or so would put the shares at 65p, down 0.5p, on a prospective multiple of 13. Despite the improving trading outlook, sentiment remains against Betterware after past disappointments and the shares look fully valued for now.

Simon Pincombe CITY DIARY

You take the high road and I'll take a skirt

Condolences to Justin Urquhart-Stewart, the flamboyant director of Barclays Stockbrokers, who has been mistaken for a cross-dresser in a Paris bar. Friends say that the motorcycling Scot, who was wearing his kilt at the time, is badly shaken by the experience.

It appears that the boulevardier had popped over to the French capital for an evening with his wife and her family. Formally dressed for the evening's entertainment, he decided a sharpener was in order and duly nipped down to the local bar with his brother-in-law.

A kilted Scot in a Paris bar is bound to attract attention. But Mr Urquhart-Stewart, who admits to looking like "something left over from Culloden", felt the proprietor's welcome was just a shade too warm. It was then that the barman showed the broker a picture of himself dressed as Edith Piaf. "I am so happy to have people like you in my bar," he leered.

The Scots retreated. Much like at Culloden.

It looks like marshmallows around the camp fire in Lincoln's Inn Field for the Daily Telegraph's City office. Staff have been three-line whipped for a bit of weekend bonding on 18 November at what looks suspiciously like the offices of Brunswick, the PR agency.

A mysterious memo to staff from Neil Collins, the City editor, explains: "It's an away day to discuss the future of the City Pages. Although attendance is not compulsory those of a paranoid disposition will regret not being there and the rest of us might have a good time (although some work will be done). There will be no counselling. At this stage I do not intend to answer press inquiries..."

A wise move. While they would not confirm it, the navel gaze is apparently being run by Professional Presentations, a human resources consultancy based in Brunswick's offices and run by Lucy Parker, sister of the PR agency's Alan Parker.

While Mr Parker will not object to ever-closer relations with the Daily Telegraph, some of the journalists are certain to. The away day coincides with the much-anticipated England versus South Africa rugby union match at Twickenham.

Hospitality tickets have had to be turned down. A stormy session at the monthly council meeting of the Institute of Chartered Accountants in England & Wales yesterday (Are you sure? – Ed.) where the issue of predatory pricing among auditors stirred many a deep-seated passion. As is usual at these meetings, the bombastic views of Douglas Liambas, the portly recruitment consultant, were not universally appreciated.

Rising to challenge the excitable councillor, Peter Wyman, a Coopers & Lybrand tax partner, observed: "Before we rearranged the seating at these meetings I used to sit opposite Douglas Liambas. Now that I sit behind him I can see where his views come from." The meeting disbanded in a profound state of shock.



Dress code: a welcome look in parts of Paris

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Hoare Govett has been deeply offended by market title-tattle surrounding its "buy" note on Airtours last week. Nowhere in the 22-page document was there a reference to the fact that the firm is the company's broker.

"Ah yes," storms Andrew Hunter, the HG analyst behind the recommendation. "That's very true. But that is because the person who is normally responsible for such things was taken ill that day with water failure."

Conceding that the omission may be in breach of compliance regulations Mr Hunter warns to his theme. "It is not as though this was a new client," he says. "Have they [HG's rivals] got nothing better to do than to pore over other people's research?"

First Domestic, the home appliance insurer, has been quick to defuse damaging publicity surrounding British Gas's commission payments to service engineers who sell new boilers. "From the 100,000 policies currently insured only 0.1 per cent have required a replacement boiler in the last year," says chief executive Peter Moderate (I kid you not).

The thousand-year boiler has arrived.

COMPANY RESULTS

	Turnover £	Pre-tax £	EPS	Dividend
BET (Q)	951m (84m)	65.1m (57.7m)	5.3p (4.5p)	1.4p (1.2p)
Brit Assets Test (F)	- (-)	26.4m (26.8m)	4.8p (4.2p)	4.55p (4.28p)
C1 Centres (Q)	4.51m (4.45m)	0.65m (0.50m)	3.84p (2.89p)	1.25p (1.1p)
Whitbread (Q)	1,327m (1,223m)	158m (184m)	24.16p (30.9p)	5.75p (5.35p)
Betterware (Q)	31.7m (31.7m)	4.08m (3.97m)	2.6p (2.5p)	0.85p (0.85p)
Subsidiary (Q)	7,049m (3,488m)	451m (444m)	16.74p (16.35p)	3.4p (3.2p)
High-Police (F)	41.8m (43.2m)	-1.7m (-0.44m)	-38.7p (-11.5p)	0.5p (0.5p)

(F) - Fiscal (Q) - Interim (N) - New month

Investment alone will not solve Britain's problems

Gordon Brown has thrown down the gauntlet on investment. Without a budget for investment, he says, Britain will continue to slip down the prosperity league. But the link between investment and growth isn't as straightforward as the Shadow Chancellor makes out. Investment is undoubtedly too low and should rise in the second half of the 1990s. But it is not the golden key to national prosperity that you would imagine from listening to Mr Brown. And if investment does rise – as is likely in the next few years – it is unlikely that Labour's new batch of incentives will be responsible.

Instead, it will increase mainly because of a rise in national savings, which has been largely induced by the climate of economic insecurity that the government has wittingly or unwittingly generated. Since the end of the recession, business investment has been particularly disappointing. It is now only marginally higher in real terms than it was at the trough of the recession in the first quarter of 1992. This pattern stands in marked contrast with the previous two recoveries when business investment recovered quite sharply.

Even though the shortfall is most marked in the property sector, investment in plant and machinery has grown less than in earlier upswings. Few would deny that this is a problem for the long-term health of the economy. Investment is vital if we are not to run

into capacity bottlenecks which lead to the recovery foundering on the rock of renewed inflation. Outside the business sector, infrastructure investment – for example in roads – is just as important if we are not to end up in permanent traffic jams and chronic congestion.

But investment is not the holy grail of growth. If it were, the Soviet Union would not have collapsed in economic ruins. What matters at the end of the day is higher productivity. Labour makes much of Britain's standing at the bottom of the league for investment for the Group of Seven leading industrial countries since 1979.

But two can play at league tables. Productivity in the business sector has been higher in the UK than in the rest of the G7 since then. According to the OECD, total factor productivity – which measures the contributions of both labour and capital – grew in the G7 as a whole by 0.8 per cent a year.

In the UK, it grew by 1.4 per cent – the highest in the G7 along with Japan. By contrast, in the golden era of high growth between 1960-73, when productivity was rising much faster



ECONOMIC VIEW

PAUL WALLACE

higher, the UK came fifth, a position it retained in the dollars of the mid to late 1970s. Let us assume that Britain could lift its investment ratio to levels seen in other countries – say, by about four or five percentage points.

How much difference would it make? Some, but not a lot, according to Nick Oulton, an authority on investment and productivity at the National Institute of Economic and Social Research.

On the basis of a comparison of growth and investment among 25 rich countries over the period 1973-89, he estimates that the hike in the investment ratio would contribute about a third of a percentage point to the growth rate. Given an underlying growth rate somewhere between 2 and 2.5 per cent, that would be handy but hardly the bonanza you might imagine from Labour's rhetoric.

One reason why Britain's overall shortfall in capital formation has proved less damaging for productivity is that investment in machinery – generally regarded as particularly important for growth – has been roughly the same as in other countries. According to the Penn World Table, a dataset which enables international

comparison, the investment ratio for machinery to GDP in the early 1990s stood at 7 per cent in the UK. Japan had a markedly higher ratio at around 10 per cent, but Germany and France were also investing about 7 per cent in machinery. Much the same is true of business construction.

The areas where the investment shortfall are concentrated are infrastructure and housing. This is the real scandal of investment in Britain today – but it was a subject on which Mr Brown had little to say. After all that would simply raise the question of whether Labour would reverse Tory tax cuts to pay for the roads programme.

Both parties shelter behind

the convenient fiction of the private finance initiative. The need for higher investment in these areas is clear. But it is unlikely that any of the measures Labour is now considering is likely to make a major impact on overall investment.

The plan to double first year tax allowances is only for a year, and is therefore likely simply to shift forward investment. A two-tier capital gains tax does not address the real fiscal problem that encourages high payouts, namely the pressure from pension funds on companies to issue dividends on which the institutions pay no tax rather than retain profits which are taxed.

Despite this, the level of investment is likely to rise in the second half of this decade. If low-inflation growth can be sustained, this will eventually overcome the concerns about the viability of recovery that have made businessmen less willing to commit themselves to capital projects. But the im-

pus will also be derived from another source – a rise in household savings.

With internationally integrated markets, national investment should in theory not be dependent upon national savings. In practice, it is highly correlated. So an investment shortfall can also be seen as a savings shortfall.

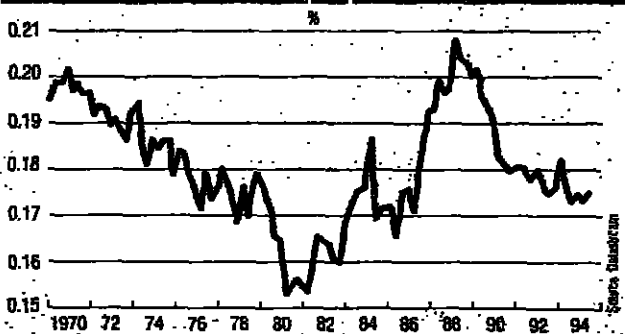
According to a recent paper by David Miles, UK economist at Merrill Lynch, savings rates are set to rise sharply in the next 15 years. He expects the household savings ratio to rise from its present level of about 11 per cent to 15 per cent or higher. Provided that the Budget deficit did not rise, this would translate to a commensurate increase in national savings.

Mr Miles ascribes this impending sea-change to the new climate of insecurity. As the value of the state pension widens, so people will want to make greater provision for their retirement.

Uncertainty over income and employment prospects is now much higher than it was in the past: this too will push up savings. Governments are encouraging greater provision for income and health risks as well as retirement.

The upshot is that Labour could come into office, pledging higher investment to sort out the nation's economic ills – only to find that a rise in the savings rate caused mainly by Tory policies help to achieve that pick-up in capital formation. That would be an irony, indeed.

Investment as a proportion of GDP



L'Oreal dismisses Scholl bid

DAVID HELLIER

The French beauty group L'Oreal has said it has no intention of making a bid for Scholl, the footcare group, which is under siege from a rebel shareholders headed by the UK Active Value Fund.

Scholl yesterday issued a statement in which it quoted the contents of a letter from L'Oreal to Gordon Stevens, chairman. The letter followed press speculation that L'Oreal as well as the American consumer products group, Gillette, were thought to have approached the rebel shareholders at Scholl with a view to making a possible offer for the group.

The L'Oreal letter said: "We would like to assure you that

L'Oreal has no intention of making an offer for Scholl, and we have no objection to your making the contents of this letter public."

According to sources L'Oreal had been approached by a number of financial intermediaries who were encouraging the company to make a takeover approach.

Last month the rebel shareholders, who want the group to be sold to maximise shareholder value, said they knew of several groups that were interested in making a bid for the group. But so far only one of them, Arkopharma, a small private French pharmaceuticals business, has made its interest public to Scholl. "The rebel shareholders have

been talking about bidders since early last month but so far the only company we have heard from is a private small French group," said a spokesman for Scholl yesterday. "We have no idea where this story came from," said the spokesman.

Last week Scholl survived a vote at an extraordinary shareholders' meeting called by rebel shareholders who wanted to change the complexion of the board.

Scholl and JO Hambro & Partners, representing rebel interests, were last week discussing a compromise whereby one new board member might be appointed to the board to represent the rebels' interests. However, last week those compromise talks broke down.

GKN raises £44m in axles sale

TOM STEVENSON
Deputy City Editor

GKN is selling its axles division to Dana Corporation of the US in a reshuffle of the two companies' stakes in several joint ventures. The deals are part of a move by GKN to concentrate on its core drivelines business. Drivelines, which transfer a vehicle's power from the engine to the wheels, are the predominant product in GKN's largest division.

The disposal will raise £44m for GKN and a further £15m of debt will be transferred to Dana. The final strike price will be adjusted to reflect the audited net worth of the division at completion and GKN is expected to book an £8m excep-

tional credit in its 1995 figures. GKN's axles division consists of two plants in the UK, for light axles in Birmingham and heavy axles in Leeds, together with a tractor axle plant in Como, northern Italy. Dana acquires a staff of 1,400 in the UK and 200 in Italy. In the year to December 1994, the division made profits before tax of £6m from sales of £116m. Tangible assets at that date were £18m.

As part of the focus on its core business, GKN also announced agreements to increase its interest in two driveline joint ventures in Brazil and Argentina and to set up a new venture in Colombia at a total cost of £19m. GKN already operates in 35 countries around the world. In Brazil, GKN's 40 per cent

holding in its venture will be increased to 49 per cent with the acquisition of shares from a Dana subsidiary. A similar deal with Dana sees GKN's holding in Danagren of Argentina increase to 49 per cent. In Colombia, a 49 per cent share in a Dana subsidiary is to be transferred to GKN.

Trevor Bonner, managing director of GKN's automotive and agricultural products division, said: "Axles was a niche business for GKN and its future should be much more secure with Dana for whom axles is a major core business activity."

"We are delighted to become involved in Colombia for the first time." GKN's shares closed 1p lower at 806p.

Education Appointments

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See pages 16 - 18 section two

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SOURCE: LABOUR FORCE SURVEY

market report/shares

TAKING STOCK

Gatecrasher could spoil cosy Lloyds-TSB get-together

MARKET REPORT

DEREK PAIN

Stock market reporter of the year



It had to happen — rumours that an outsider plans to barge into the comfortable £13.6bn merger fixed up between Lloyds Bank and the TSB banking group.

Most observers regard the deal as all over but the shouting. The stock market welcomed the alliance, judging that the long rumoured get-together seemed to make irrefutable commercial sense.

But in some respects TSB shares are riding above the Lloyds bid level with the possible tax advantages to institutional investors distorting the picture. TSB rose 3p to 376p, Lloyds 7p to 786p.

There is little doubt that Lloyds can afford to pay a tempting price for TSB. With the two banks fitting so snugly and the cost savings that should flow from the merger it could make it difficult for a counter-bidder.

Although HSBC, through

Midland Bank, is thought to be considering its position, the stock market appears, somewhat surprisingly, to be pinning its faith on a foreign counter.

Any overseas invader would not have the advantages of extensive cost savings and could have difficulty, therefore, justifying paying a higher price than Lloyds.

Commerzbank, which earlier this year took control of the Jupiter Tyndall fund management group, is one name being put forward. The German bank has geared up for expansion and is thought to be keen to make an international splash. TSB represents the last readily available vehicle for a significant entry into UK retail banking, which could prompt the Germans to pay the high price a realistic counter would require.

Elsewhere, flagging consumer confidence — as evidenced by J Sainsbury's results

and the profit warning from garage group Evans Halshaw — took their toll. With the reported road building cut-backs adding to the gloom the FT-SE 100 index was at one time down 26.6 points. However, a firm New York opening injected a little optimism and the index ended 10.4 lower at 3,518.7.

A mere 1.5 per cent fall in time profit increase by Sainsbury, and more evidence of pressure on margins sent a shiver of unease through the sector.

Sainsbury lost 21p to 403p; Asda 2.75p to 99.75p and Tesco 7p to 293p. Argill, the Safeway chain, finished 10p off at 312p.

The gloomy Mintel survey on high street trading clipped Marks & Spencer 7p to 417p and House of Fraser, the department stores chain, faded 3p to 147p on Morgan Stanley caution.

Evans Halshaw reversed 66p to 318p, Incheape 15p to 298p and Lex 12p to 318p. Even Cowie, largely a leasing group, felt the impact, off 10p at 287p.

Cordiant, the advertising group, traded near its year's low — down 2p at 84p — as the market awaited details of its signalled cash call to help ease its £150m debt burden. It is suggested the rights price could be around 60p.

Prudential, the insurance giant, jumped 18p to 414p on James Capel support and Legal & General continued to attract attention, edging ahead to yet another peak of 684p. An analyst meeting firmed GRE 2p to 231p.

However, Refuge, the insurer, became the new take over front runner with a 20p gain to 428p. The activity in the insurance sector has become so persistent that many hardened observers are convinced a predator is hovering.

Eurotunnel's failure to win a claim against the British and French railways lowered the shares 5p to 90p.

Berisford fell 5p to a year's low of 145p as worries about the performance of its Magnet kitchens operation gnawed at confidence. The shares hit a 268p high. Norcor, a corrugated board maker, tumbled 12p to 89p on a profit warning.

London Electricity remained dull on the Thames Water brush-off, falling a further 17p to 885p.

Unipalm, the Internet provider, had an eventful session, reflecting the share performance of bidder JUNNET and hopes of a counter-offer.

The shares at one time showed a 45p gain; they closed 20p higher at 528p in busy trading.

Bluebird, the toys group, was little moved by talk that US toy maker Hasbro had lifted its stake to more than 9 per cent; the price firmed to 354p.

Among the bio babes Cortec International traded up to 126p with stockbroker Greig Middleton said to be putting a value of 175p on the shares. They closed 6p higher at 118p.

Heritage, the struggling housewares distributor, jumped 6.5p to 29p on the arrival of Jonathan Weeks, former managing director of Kingfisher's Woolworth stores chain, as a non-executive director. Simon Gold was confirmed as finance director. After a run of losses the company fought back to profits but suffered a sharp downturn in the first half of its last year.

QIES, developing electronic security equipment, is forging ahead on the offer market run by JP Jenkins. The shares rose 15p to 850p; last year they were 55p. The group, which has a hi-tech camera system that photographs users of cash dispensers, is thought to be planning a full listing next year — ignoring the in-between attractions of the Alternative Investment Market.

DATA BANK

FTSE 100 10.4
FTSE 250 -5.8
FTSE 350 -4.6
SEAD VOLUME 107.9m shares, 24,903 bargains
GAS INDEX 13.89 +0.22

SHARE SPOTLIGHT

Shares in the spotlight

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Stable

FOREIGN EXCHANGE RATES

Adjusted Managed S2	959.9	881.12	Sam LAC/Can Equity	549.8	549.8
Adjusted Managed S2	959.9	881.12	Sam LAC/Can Managed -	410.1	410.1
Adjusted LAC Equity S2	689.7	811.12	Sam LAC/Can Managed -	320.4	320.4
LAC & Can Equity S2	1227.0	1302.2	T38 Equity	240.4	240.4
LAC & Can Investments S2	965.9	598.7	T38 Hedgecapital	363.5	363.5
Adjusted & Can Managed S2	972.1	516.0	T38 Managed	363.5	363.5

ENCLOSURE

هذه الامتيازات الأصلية

sport

Tyson thumb injury puts paid to ailing promotion



Thumbs up, or rather down, from Tyson Photograph: Allsport

Boxing

KEN JONES
reports from Las Vegas

As ticket sales were slow enough to suggest a financial disaster, the announcement that a thumb injury would prevent Mike Tyson from going in against Buster Mathis Jr at the MGM Grand in Las Vegas on Saturday was bound to raise a great deal of cynical speculation.

Certainly it is hard to believe that Tyson pounded a heavy bag and the bodies of his sparring partners despite the pain he claims to have reported three weeks ago.

There was time for a small fracture to heal," Marrone said, "but unfortunately there was a further separation."

Nobody was more sceptical than Mathis's trainer, Joey Fariello, a man with long experience in boxing. "It just doesn't add up," he said. "I find it difficult to believe that any doctor would allow a fighter to carry on sparring with a damaged hand. That just doesn't sound kosher."

Curious too that the MGM promotion collapsed only a few hours after Tyson dismissed scowling suggestions of a problem. "It's nothing," he said at a press conference to introduce every contestant, including three world champions, on the card.

Equally suspicious is the fact that Tyson, who has adopted a low profile since returning to the ring, made himself available for interrogation earlier this

week while carrying his right hand in an iced towel. "It isn't anything to worry over," he said.

The frustration of being unable to recapture lost timing was put forward as an explanation for Tyson's sparring unusually late in preparation, but the picture altered dramatically after a session in the gymnasium yesterday. "When we examined Mike's hand it was obvious that he would not be able to box," Higgins said.

Apart from wider implications this put paid to the facious theory that Tyson could beat Mathis with one arm tied behind his back.

Although one of Tyson's co-managers, John Horne, insisted that it is only a postponement, Mathis is left to brood over the probable loss of an \$800,000 (£520,000) purse. "I have no control over Tyson's decisions," Mathis's promoter, Cedric Kush-

ner, said. "They say we'll still get the fight but as things stand we're only guaranteed \$75,000 in training and hotel expenses."

Among the other sufferers was the British heavyweight Henry Akinwande, who will not be reimbursed for the \$17,000 it cost him in preparation for meeting Tony Tucker on the undercard.

Since the prognosis is that it will be six weeks before Tyson can resume training it will be interesting if the recovery is achieved ahead of schedule. Fox television who injected \$10m into the promotion will launch a series of live fights in January, but Tyson's commitment is to MGM and the Showtime cable company.

Plans were in place for Tyson to challenge Frank Bruno for the World Boxing Council championship on 16 March next year and the British boxer was due to be at the ringside on Satur-

day with his promoter, Frank Warren. In the absence of Don King, who is in New York denying an insurance fraud, Tyson was discreetly evasive about the future. "I'm happy to fight Bruno or anyone," he said.

A personal view is that Tyson will fight again in January if not before the turn of the year, but a longer absence would raise important possibilities for Lennox Lewis, who has taken legal proceedings in an attempt to establish priority in contention. Unquestionably, it would be difficult for the WBC to argue that Tyson is the leading challenger for their heavyweight title if his comeback is delayed by more than a couple of months.

Considering that very little in boxing is ever what it seems, present suspicions are understandable, although information from a reliable source suggests that Tyson's injury is genuine. And it is nonsense to suppose that two

eminent physicians would come involved in anything scurrilous. Of course, the news delighted Caesars Palace and the cable company. Home Box Office who no longer face competition for Saturday night's contest between Riddick Bowe and Evander Holyfield. Doubtless on the understanding that Tyson was involved in another mismatch, it was always doing much better at the box office.

In fact, the outcome of yesterday's drama may be the realisation of Tyson and his associates that there is no future in staging contests that so obviously insult the public's perception.

Eamon Loughran's World Boxing Organisation welterweight title defence against Mexico's Jorge Luis Lopez has been postponed, because Loughran has had flu and has a damaged right hand. The fight has been provisionally rearranged for 16 December.

Liverpool loss caps European gloom

The news from Europe is becoming like dispatches from the front. Every fortnight or so a bulletin arrives in Britain and every time the message is one of gloom - that from the Uefa Cup second round second legs possibly the darkest so far.

On Tuesday morning, bookmakers would have produced enticing odds on Raith Rovers being the only British team to score in four matches against Continental opposition. Liverpool and Nottingham Forest, it was assumed, were all but in the third round, while Leeds promised to go down fighting against PSV Eindhoven.

By the end of the evening the sum total from a Halloween night of tricks and few treats was a fortunate aggregate victory for Forest and one consolation goal for Raith against Bayern Munich. Leeds, meanwhile, went down 8-3 on aggregate and seemed spineless.

The most surprising result of them all, however, was at Anfield. Liverpool, supposedly the most Euro-friendly team from these shores, were nullified by a Brondby team who, hard working though they were, would hardly rank among the great forces in Europe.

"We were outclassed by Genoa and Spartak Moscow," John Barnes, their England midfielder player, said referring to other recent reverses at home, "but not by Brondby. It was a disastrous result. Going out of Europe hurts."

It hurt most not because Liverpool became the first English team to lose to Danish opposition in Europe but because

Clubs cannot cope with differing needs at home and abroad. Guy Hodgson reports

they had so much of the possession and did so little with it. Half-chances arrived in bunches but in among them there was barely a clear-cut opportunity.

This was due in part to Liverpool's supposed strength: their passing. Throughout the game Jamie Redknapp and company painted pretty pictures on the pitch but the need to embellish move after move allowed Brondby time to regroup even when danger loomed. The penalty area became congested and the only route to goal was down the flanks where Steve Harkness and Rob Jones lacked the technique to prosper.

"I suppose the old thing about us being naive in Europe will come out," Roy Evans their manager, said, "but on another day we would have won."

On another day, someone might have answered, Forest would also be mulling over failure, too, if Auxerre had been lucky with just two out of five efforts that were cleared off the line over two legs. Forest's resilience was admirable but even their manager, Frank Clark, who described Auxerre as the finest side he had encountered in his time as a manager, admitted the debt his side owed to fortune.

"They will be feeling very hard done by with the result," he said. "But we achieved the most important thing there ever is in cup football - we got into the hat for the next round."

Clark is too astute to let the result be the end all and he emphasised the need for British clubs to catch up with the rest of Europe. "We can't hope to match the technical ability of the Continentals," he said, "until the structure of our game is changed at the grass roots."

"We are hopefully moving towards it. At least we are now allowed to get kids at nine and 10 and start coaching them and teaching them properly. But at the top level there are still pressures on clubs getting results in the Premier League and giving the public excitement on Saturday afternoons."

Talking about the Auxerre game in particular, he added: "I wish we could have passed the ball better and given support quicker and better from the back to players further up the field. But after three years of instructing players how to go about winning at domestic football I've suddenly got to tell them different things to perform in Europe. It's hard to blame them when they find it a struggle."

"I'm sad the other teams like Liverpool and Leeds and Manchester United have gone out because we've no particular wish to seek the higher profile which we'll probably get now as the only British side playing in Europe."

So far scrutiny has tended to expose failure. There was little on Tuesday night to suggest Forest will prove an exception.

Royle calls for passion

Joe Royle is relying on his Everton team rediscovering their fire to upset Feyenoord in the European Cup-Winners Cup tonight.

"I am quietly confident. But we must show the passion that has not always been there this season," Royle said in Rotterdam. "It is a big night for the club and a big chance to get our season going again."

Everton start all square after a goalless first leg, but much of the determination that characterised their FA Cup final victory and relegation escape has gone and the single win in their last 10 matches came against Reykjavik's port-timers in the first round. More tellingly, only Ajax have beaten Feyenoord in their stadium this season.

Everton's prospects depend

largely on the fitness of an already depleted squad. David Unsworth (back), Earl Barrett (knee), Vinny Samways (hamstring), Andrei Kanchelskii (injury) and Duncan Ferguson (impersonated) could not make the trip.

Anders Limpar (ankle), Joe Parkinson (foot) and Daniel Amokachi (knee) are all in the party but may struggle to complete 90 minutes, while Craig Short (viral infection) was hospitalised for tests at the weekend.

For the Celtic manager, Tommy Burns, victory against Paris St Germain at Parkhead tonight would be another giant stride in his 18-month Parkhead revolution.

The Tennessean Scottish Cup holders are aiming to overturn a 1-0 deficit in the second

round, second leg tie. If it can be achieved, then the dismal memory of a Coca-Cola Cup final defeat by First Division Raith last November, and a record run without scoring a goal, will be erased.

"We are making progress and anyone who thinks we haven't improved since last season doesn't know what he is talking about," Burns said. "We have been playing well for the past month or so and I don't think we have been getting the credit the players deserve for that."

The midfielder Phil O'Donnell misses out but injury worries over John Collins, Andreas Thom, Simon Donnelly and Andy Walker are clearing. Burns added that his captain, Paul McStay, in fine form this season since returning from injury, will be a key figure.

Juninho permit held up

RUPERT METCALF

All those newly bought Brazilian shirts might have to stay in their wardrobes for at least another fortnight. Juninho may not be making his Middlesbrough debut this weekend after all.

Bryan Robson's £4.5m purchase from São Paulo was expected to make his first appearance for his new club at home to Leeds United on Saturday - subject to Middlesbrough receiving an international clearance certificate.

That, it seems, has been delayed at the Brazilian end. Dave Allan, a press spokesman for Middlesbrough, said: "It is a frustrating situation for the player and the club. Juninho arrived in England last weekend and has trained with us for the past three days. But we have not yet heard from the Brazilian Football Association."

Saturday's match is already a 30,000 sell-out and, if the clearance fails to arrive in time, Juninho's debut will be delayed for a further fortnight until 18 November, when

Middlesbrough travel to Selhurst Park to meet Wimbledon. He will miss Wednesday's Coca-Cola Cup replay against Crystal Palace because he is playing in an international friendly for Brazil in Argentina.

Another foreign import, Manchester United's Eric Cantona, suffered a knock in training on Tuesday. However, he should be fit for Saturday's match at Arsenal.

John Deehan, dismissed last summer by Norwich City, returned to League management yesterday when he took charge at the Third Division club, Wigan Athletic. He replaces Graham Barrow, who was sacked last month. Deehan has spent the season so far playing for a Norfolk side, Wroxham, in the Jewish Eastern Counties League.

Paul McGrath is likely to break Pat Bonner's record of 78 caps for the Republic of Ireland when Jack Charlton's team travel to Portugal for their conclusive European Championship qualifier in Portugal on 15 November.

Republic of Ireland squad, *Sporting Digest*, page 31

The great spectator scam

From Mr Simon J S Nicholls

Sir: With professionalism in rugby union increasing demands on players, and, I would imagine, ticket prices rising, isn't it time the RFU did something for spectators and made the game more entertaining?

Having watched Bristol v Gloucester, I feel spectators are in danger of being conned. The game was full of stoppages, with a whistle-happy referee. I got home to see the second half of the Wales v England rugby league semi-final, and it was terrific end-to-end entertainment.

Yours faithfully,
SIMON J S NICHOLLS
Bristol
22 October

The youth dilemma

From Mr Andrew Barr

Sir: English rugby is suffering from a decline in young players as they are unable to command a first-team place ("Eng-

SPORTS LETTERS

land's generation gap", 24 October); or (2) because the standard of competition is not high enough and fewer, better sides should be playing closer to international level more often.

But not both. Yours sincerely,
ANDREW BARR
London, NW6
25 October

League of gentlemen

From Mr Gavin Power

Sir: In an age where rugby reaches for change, is it not time the gentleman's game played the gentleman's card? I am speaking of those who sacrifice much of their time and rarely go rewarded. Simon Brown, a Harlequins stalwart, will no doubt return to the Seconds when Jason Leonard is fit.

I propose that all top-division clubs be forced to make two non-injury related changes every week bar two (to allow the

first XV to play), allowing at least two Seconds players to display their abilities at top level. Yours faithfully,
GAVIN POWER
Oxford
19 October

Blinkered boxers

From Mr Neil Billingham

Sir: Ken Jones' comments on boxers taking more responsibility for their health ("Administration called into question", 26 October) were well articulated but futile. When one fight can make or break a boxer's career and an aura of invincibility is almost a necessity for success, boxers will not take necessary precautions for fear of cutting short a rewarding career.

Yours sincerely,
NEIL BILLINGHAM
Northampton
26 October

Letters should be marked "For publication" and should contain daytime and evening phone numbers. They should be sent to Sports Editor, The Independent, 1 Canada Square, London E14 5DL. They may be shortened for reasons of space.



Watching brief: Ray Illingworth checks on Robin Smith yesterday Photograph: Allsport

Smith makes mental note

Cricket

JAMES ALEXANDER
reports from East London

Only eight days' first-class cricket separate England from the first Test and now the major players must start to hit the right notes. Yet Devon Malcolm, a proven if inconsistent match-winner, has made such a wretched start that he might now have only a peripheral interest in this tour.

Malcolm cut a solitary figure at nets yesterday, bowling on his own with no help or even encouragement from the management. He has been left out of the match starting against Border at their Buffalo Park ground here today, while Peter Martin, who has a broken right ring finger, will play.

Robin Smith is another whose early-tour form has caused concern, yet he is certain to be in the XI for the Test match. Smith is a curious contradiction. His brutal power with the bat suggests unlimited self-belief, yet in reality he is a man whose head churns round like a washing machine full of thoughts, theories and doubts.

He once wrote a book on the psychology of batting and is constantly searching for the mental equilibrium that will bring him even more runs for his adopted country. Now he thinks he might have found it. Smith has been consulting the hypnotist Paul McKenna who has also worked with the boxer Nigel Benn. McKenna has helped the Hampshire batsman to relax.

Smith explains: "My anxiety level has reduced, while my focus and concentration have im-

proved. It has been absolutely brilliant. When I was out of Test cricket for nine months before being recalled this summer, I wondered if I had lost the big-match temperament. I was advised Paul might be able to help."

"I have had three or four sessions with him. He puts me into an hypnotic state. I'm not a zombie, but it allows him to talk to the subconscious half of my brain. As cricketers, we spend hours practising batting, bowling and fielding, but neglect the mental side - which I reckon is at least 50 per cent of being a successful sportsman."

Smith uses the word "focus" a lot and says he is focused more on his batting because he has cut down on his non-cricketing activities. Keith Fletcher, when he was England manager, once criticised Smith for allowing himself to be distracted by commercial ventures. Smith now acknowledges this was the case and believes 500 runs in the series is a realistic personal target.

A total of 49 runs in four innings is hardly the start he wanted, but Smith is happy with the way he has been batting in the nets. He is struggling to find his timing on the slow pitches in the matches, though, and was not pleased when told the East London track is regarded as the most funeral in South Africa. However, it might also draw the sting from Mahaya Ntini, just 18 and making his debut but one of the fastest young bowlers in this country.

ENGLAND: A J Stewart (capt), J P Crawley, M R Harman, G P Thomas, R A Smith, G A Hick, R C Russell (wld), D D Cork, D Gough, R R Illingworth, P J Martin.
SOUTH AFRICA: P J Botes, F C Coetzee, P N Kros (capt), D J Gulliver, P C Strydom, S C Pope, S J Paltamanis (wld), I L Howell, B C Fourie, P A N Erasmus, M Ntini.

England's last-ball win

Pakistan Board XI 191-9

England A 192-4

England A won by six wickets

England A clinched a six-wicket win over the Pakistan Cricket Board XI off the final ball of their opening tour match in Karachi yesterday.

Half-centuries by the opener Nick Knight and his captain, Nasser Hussain, proved to be the telling contributions in the 50-over contest after England A had been set 192 to win.

With the scores level, Keith Piper hit the last ball of the game to midwicket where Mohammad Ramzan fumbled and the batsmen managed to scamper through for the decisive single.

(England A won toss)

ENGLAND A	PAKISTAN CRICKET BOARD XI
N Knight 42	M Ramzan 42
N Hussain 42	S Aftab 34
K Piper 25	M Asif 25
D Gough 18	M Asif 25
P Martin 18	M Asif 25
R Illingworth 18	M Asif 25
P Botes 18	M Asif 25
F Coetzee 18	M Asif 25
P Kros 18	M Asif 25
D Cork 18	M Asif 25
G Hick 18	M Asif 25
R Russell 18	M Asif 25
J P Martin 18	M Asif 25
I L Howell 18	M Asif 25
B C Fourie 18	M Asif 25
P A N Erasmus 18	M Asif 25
M Ntini 18	M Asif 25

Robertson leads rout of Russia

Hockey

BILL COLWILL
reports from Bisham Abbey
Great Britain
Russia

Britain's women persisted with their new aggressive style of hockey in the second Test yesterday, although towards the end of the game they were looking tired and their play became over-complicated.

In a slow start Britain played zonal hockey, which allowed the Russians to settle into their game, and it was not until the

17th minute that they opened the scoring from their second penalty corner. Karen Brown's lob bouncing off the crossbar to be met by Pauline Robertson.

A fortuitous penalty corner two minutes later produced the second goal. Robertson's initial shot was blocked by the Russian goalkeeper but Britain's captain, Jill Atkins, followed up with a cracking shot. The 2-0 interval score in no way reflected Britain's dominance.

An unnecessarily crude tackle by Lucy Cope on the Russian captain, Tatyana Vasykova, five minutes into the second half reduced Britain to 10 players.

TODAY'S FIXTURES

FOOTBALL: First Division: Stoke v Tranmere (7.0). Second Division: Bradford City v Burnley (7.0). Third Division: Doncaster v Barnsley (7.0).
FOURTH DIVISION: Reading v Cardiff City (7.0).
NORTH WEST COUNTIES LEAGUE First Division: Macclesfield v Macclesfield Town (7.0).
NORTH WEST COUNTIES LEAGUE Second Division: Macclesfield Town v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Third Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Fourth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Fifth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Sixth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Seventh Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Eighth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Ninth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Tenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Eleventh Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Twelfth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Thirteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Fourteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Fifteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Sixteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Seventeenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Eighteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Nineteenth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Twentieth Division: Macclesfield v Macclesfield (7.0).
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NORTH WEST COUNTIES LEAGUE Fiftieth Division: Macclesfield v Macclesfield (7.0).
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NORTH WEST COUNTIES LEAGUE Ninety-eighth Division: Macclesfield v Macclesfield (7.0).
NORTH WEST COUNTIES LEAGUE Ninety-ninth Division: Macclesfield v Macclesfield (7.0).

هذه الاموال

players they thought had talent to play in a Short Tennis tournament," she recounted. "The prize was a free lesson. I won the free lesson, and went on from there."

■ Jim Courier, the former world No 1 from the United States, confirmed he was slowly recapturing his best form by beating the Dutchman Jacco Eltingh to reach the third round of the Paris Open yesterday. Courier used his powerful baseline strokes to win 6-1, 6-7, 6-7.

**TODAY'S
NUMBER**

130

The speed in miles per hour that the powerboat Big Expo was travelling when it spun out of control and sank during practice for the Dubai Grand Prix yesterday. The two-man crew of the 43ft catamaran were shaken but unhurt.

[illegible]

